

# BACONIANA

Founded 1886

DECEMBER, 1987

## CONTENTS

Editorial .....	1
Obituary .....	13
Chairman's Announcement .....	14
<hr/>	
The Vilifiers of Verulum .....	25
Andrea on Bacon .....	32
Was Bacon the son of Queen Elizabeth ? .....	40
Hamlet and the Danish connection .....	46
The Droueshout Engraving and the Bacon Family Portrait .....	52
Then and Now: Francis Bacon and Law Reform .....	57
Correspondence .....	70
Publications .....	72

# THE FRANCIS BACON SOCIETY

(INCORPORATED)

Among the Objects for which the Society is established, as expressed in the Memorandum of Association, are the following:-

1. To encourage, for the benefit of the public, the study of the works of Francis Bacon as philosopher, statesman and poet; also his character, genius and life, his influence on his own and succeeding times, and the tendencies and results of his writing.
2. To encourage for the benefit of the public, the general study of the evidence in favour of Francis Bacon's authorship of the plays commonly ascribed to Shakespeare, and to investigate his connection with other works of the Elizabethan period.

## OFFICERS AND COUNCIL

Hon. President

**James Maconochie, Esq.**

Hon. Vice Presidents:

**Lady Browning**  
(Daphne du Maurier)

**Sir George Trevelyan, Bt.**

Council:

**T.D. Bokenham, Esq. Chairman**

**Nigel Hardy, Esq. Vice Chairman**

**J.D. Maconochie, Esq.**

**Richard Barker, Esq.**

**Francis Carr, Esq.**

**Peter Dawkins, Esq.**

**Robert Cowley, Esq.**

**Gerald Salway, Esq.**

**Clifford Hall, Esq.**

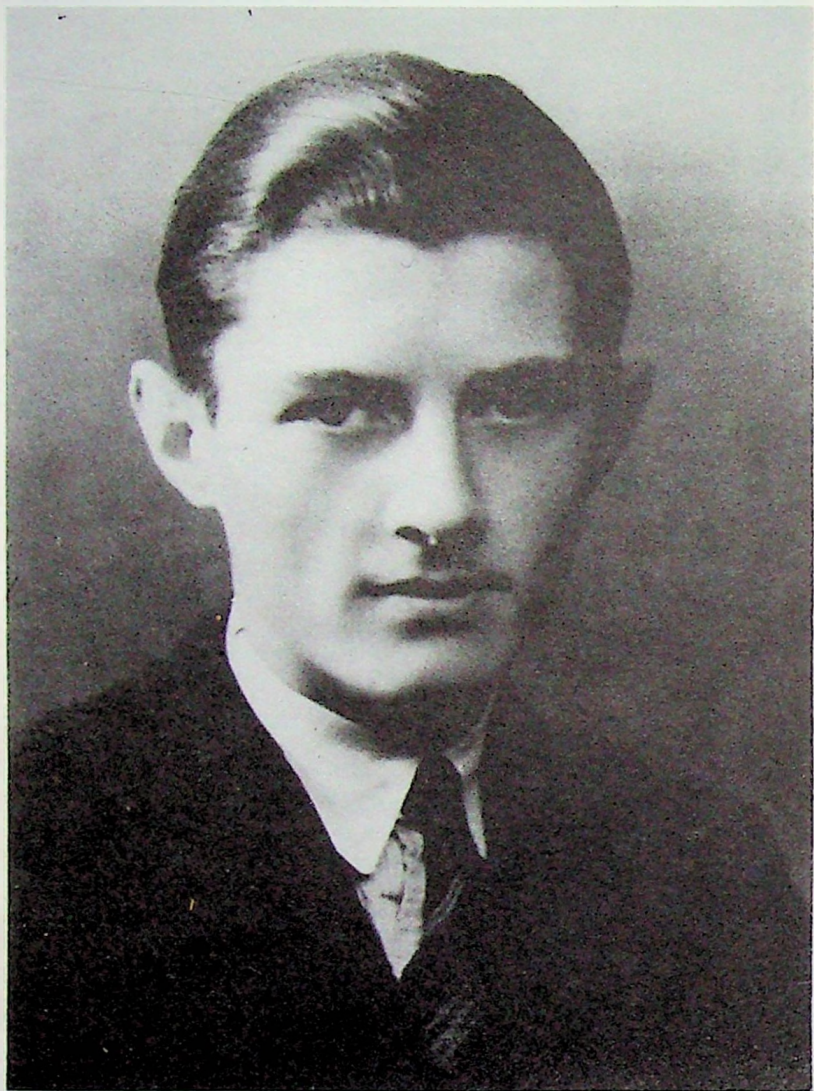
Hon. Treasurer:

**T.D. Bokenham, Esq.**

**56 Westbury Road, New Malden, Surrey, KT3 5AX.**



A Queen and her son, by Nicholas Hilliard  
(British Museum)



Noel Fermor

*It should be clearly understood that BACONIANA is a medium for the discussion of subjects connected with the Objects of the Society, but the Council does not necessarily endorse opinions expressed by contributors or correspondents.*

## EDITORIAL

The tireless labours of Noel Fermor as Chairman of the Society and as Editor of our Journal were commemorated immediately after the initial Annual General Meeting held on 12th June 1987. A packed gathering of members paid tribute to his dedicated services to the Francis Bacon Society and its Cause, which he championed so devotedly and courageously. In particular, it is to Noel that we owe the pleasure of the highly successful Centenary celebrations at St Albans on a splendid summer day last year.

Some of the music performed at those celebrations was played once more but this time with Mary Brameld reading from Francis Bacon on gardens and horticulture. The music played by Joy Plumstead, Elizabeth Hovhaness and Amber and Gerard Bonham-Carter was very enjoyable. Love of gardens and horticulture was a pleasurable pastime which Noel Fermor and Francis Bacon shared. Our late leader's other main cultural interest, apart from studying Bacon's life and works, was music. He played the piano and was a regular concert-goer. Along with Noel's family, we shall miss him dearly.

### Invitation to Members.

Critics may call us cranks. Hostile 'authorities' have labelled us 'heretics' (itself a mask of their own intellectual intolerance or arrogance). Such epithets truly indicate that we Baconians prefer to think for ourselves and question popular notions. The strength of our Society's purpose has withstood the test of time. After one hundred years, the virility of the Baconian viewpoint is demonstrated by the healthy fact that members tolerate differences of opinion within our Society; for instance, as in recent issues of this Journal and at the Annual General Meetings held in

1987. You are invited to examine the issues and contribute to the debate as discussed herein by our Chairman Thomas Bokenham, by ~~Martha Bayne~~ and by a reprint of an article by the Hon. Sir John Cockburn.

There is one important matter in the last which must be clarified. Sir John refers to the oft-quoted remark about Bacon as "the wisest, brightest, meanest of mankind". So many easily assume that the popular connotation of 'mean' as 'stingy', or 'ignoble', was what Alexander Pope meant. But in *Pope and Bacon (Baconiana No. 164)* H Kendra Baker cites a dozen instances of Pope's use of 'mean' as 'humble' or 'modest'. In a lengthy analysis of this question he gives just as many examples from Pope's contemporaries to show that they, also, often used it in that context. In fact, long before Dr Johnson, Nathaniel Bailey had 'mean' as an equivalent for 'pitiful' in his *Etymological English Dictionary* (1726). This definition is highly appropriate when we recall the tragic events of Bacon's downfall. "The wisest, brightest, meanest of mankind" could surely not have been derogatory in any sense because, in *The Dunciad*, Pope trounces the Dunces for being contemptuous of Bacon. In view of everything we know of Pope's admiration for him it is absurd to ask that we believe that Pope would have blasted Bacon into infamy. Perhaps he intended it as a pun. That is, a jest upon the Bacon family motto 'Medocria Firma' - the mid-ground (is) stable; in other words, the mean between extremes is most reliable, or the 'meanest' is 'wisest'!

### **Illuminating Insight**

In our consideration of Bacon's true character one vital point is in danger of eluding us. A matter implicit in his great labours. One so eminently logical and of greatest consequence. We know that Bacon's mission was to advance humanity. Consequently, not only society but also the individual should advance. Therefore, it is implicit that the real objective is the material and spiritual growth of each person. Personal evolution!

In other words, our debate will be fruitless unless we realize this essential point - Francis Bacon must have deliberately applied this concept of personal evolution for the good of his own development. And that is no quick and easy task devoid of pitfalls. Consequently, we should consider the opinion of one who was closely attuned with Bacon. Such a one was Raymund Andrea, a modern Rosicrucian teacher, for he was deeply versed in the nature of the soul. Although very familiar with the Eastern spiritual teachings

Andrea was a deeply committed Christian. This is obvious by his personal maxim of "To me, Jesus is All in All". (It should not be construed that his order is a Christian Sect, any more than is The Francis Bacon Society.)

Especially significant to Baconians is Andrea's explanation of why biographers have failed to appreciate Bacon's true character. They knew not the secret motive within his heart nor shared his illumination into Nature's secret cipher. When the philosopher's inner-life is considered, Raymund Andrea's empathy is exceptional. Both shared the same mission - the enlightenment of mankind.

### Sufi Surprise ?

Ernest Scott's *The People of the Secret* (1983) examines how ideas and developments of great moment upon civilisation may have been deliberately 'seeded' into society by shadowy groups or networks of pioneers. Their purpose? The evolutionary advancement of all humanity. His book discusses how the enlightened Arabic culture, particularly that of the Sufis, was instrumental in Europe's emergence from the Dark Ages. Also, he reports upon the increasing amount of information that has been released, as though by a policy decision of a 'secret directorate', since 1961 in diverse travel accounts in the Afghanistan area. (This would be from about the inauguration of the Age of Aquarius on 5th February 1962.) Scott directed a team to investigate modern Sufi activities and thereby makes an important contribution to Western understanding of that movement.

*The People of the Secret* also discusses legends about some of the great minds of early medieval times. They were reputed to have constructed and consulted mechanical heads. Today's computer engineers claim Pope Sylvester II as their precursor. It is claimed that he built a head of brass which he would hit to get answers to mathematical problems. Legend credits Albertus Magnus (1206-1280), perhaps the first Christian prepared to consider natural phenomena from a rational standpoint, with making not only a 'talking head' but also an entire artificial man. Scott reports that Idries Shah, the modern authority on Islam, discloses in *The Sufis* that 'making a head' is "a Dervish code phrase for a certain phase of inner development".

Then it struck me. Ben Jonson was closely associated with both Bacon and Shakespeare. Jonson's opening epigram to the last's *Comedies, Histories and Tragedies* (known as the First Folio) con-

tains numerical ciphers. His words opposite the first 'picture' of the bard refer to the mind of Shakespeare needing to be shown in brass and to its engraver as having hit the face. Jonson may have had the legendary communicating heads of brass in mind when writing the Folio's epigram. And perhaps he was aware of the caption to Nicholas Hilliard's miniature of seventeen year-old Francis Bacon - 'it would be preferable if his mind could be portrayed'. There is evidence that Jonson and Shakespeare collaborated in Lord Bacon's scheme for advancing literary culture. They would have been a vital part of the Great Work discussed by Scott. Indeed, he asserts that, "The most profound poetic ideas in European literature owe their genius to the Sufis." He quotes other authors: "Persuasive arguments have been advanced for the idea that 'Shakespeare' was the pen-name of a group devoted to injecting certain ideas into the cultural stream of Elizabethan England." Scott also quotes the supreme authority upon Islamic mysticism of his time, Professor R. A. Nicholson; "The head of this group was responsible for passages that stand out as the insights of an exceptional intellect" ... "Certain portions of the Shakespearean corpus have an uncanny resemblance to earlier Sufic material".

Bacon's written instruction upon the most effective method of teaching agree precisely with the Sufi anecdote, 'Invisible Service'. That is, knowledge is not to be valued or prized but put to good, practical use. Knowledge is best taught as a seeming irrelevancy, for example as entertainment. Hence, the profound philosophy and morality found throughout the plays. Furthermore, Christian Rosencreutz was said to have brought the fundamentals of Rosicrucian wisdom from Arabia and North Africa. Also, the Sufis influenced the Templars who in turn, long after their unjustified suppression, were directly involved in the development of English literature. Detailed consideration must be reserved for later. For now, it is sufficient to know that their insignia occur in printers marks, watermarks and in the squared text of the First Folio.

### Scroll's Signal

Readers of *How to Crack the Secret of Westminster Abbey*, will be aware of the peculiarly adulterated speech from *The Tempest* upon the scroll on the monument to Shakespeare. Our Chairman has proved this was done for a specific purpose. Also, that it is simplicity itself to discover the name 'Francis Bacon' hidden within that quotation. This is done by the ancient version of today's popular wordsearch puzzles. However, instead of having a meaningless

jumble of letters in which are hidden columns and diagonals of plain words, the original method starts with ordinary, readable text. Within it a simple, symmetrical pattern of letters conveys a secret message. The correct pattern must be strictly 'confirmed' by the open text and/or the method itself. Such resultant anagrams are unequivocal if capable of only one answer. Number 33 is of prime importance in confirming the scroll's solution. Some will be aware of that number's Masonic significance.

When the Abbey monument's scroll is rewritten into a grid of squares 13 columns wide, the plain-text word 'Fnbrick' (fabric) becomes the key. This 'mistake', with others, ensures that a message could be enciphered. How many have looked carefully at the scroll and noticed that the F is actually Γ? The shorter horizontal appears never to have been inscribed. Because the next letter is too close? How many realise the significance of that broken F? Not only is it the initial of the hidden 'Francis' but it is also the very shape of that name. (And just as Francis is half the whole name so is its shape half that which holds the whole name.) Furthermore, it is the very corner of that pattern. Ingenious, is it not?

The solution is repeated below in capitals. Note the squared arch; the left pillar and 'keystone' give the Christian name, the right pillar gives the surname (h is a 'null').

1	S	h	a	l	l	D	i	s	s	o	l	v	e
2	A	n	d	l	i	k	e	t	h	e	b	a	s
3	e	l	e	s	s	Γ	N	B	r	i	c	k	o
4	f	a	V	i	s	I	o	N	L	e	a	v	e
5	n	o	t	a	w	R	e	C	k	b	e	h	i
6	n	d	T	h	e	C	l	O	u	d	c	u	p
7	t	T	o	w	r	S	T	h	e	G	o	r	g
8	e	o	u	s	P	A	l	A	c	e	s	T	h
9	e	S	o	l	e	m	n	T	e	m	p	l	e
10	s	T	h	e	G	r	e	a	t	G	l	o	b
11	e	i	t	s	e	l	f	Y	e	a	a	l	l
12	w	h	i	c	h	i	t	I	n	h	e	r	i
13	t	S	h	a	l	l	D	i	s	s	o	l	v
	1	2	3	4	5	6	7	8	9	10	11	12	13

## Enigmatic Epigram

Thirty years ago an American cryptographer debunked the existence of ciphers in the Shakespeare works. But he omitted any consideration of the valid cipher system outlined above. It was devised in the ninth century by Abbot Rabanus and demonstrated eight hundred years later by Gustavus Selenus. The very same system was used by Ben Jonson. Upon opening the First Folio and seeing the picture of Shakespeare, we are warned by 'rare' honest Ben:

### To the Reader

This Figure, that thou here seest put,  
It was for gentle Shakespeare cut;  
Wherein the Grauer had a strife  
with Nature, to out-doo the life :  
O, could he but haue drawne his wit  
As well in brasse, as he hath hit  
His face ; the Print would then surpasse  
All, that vvas euer vvrit in brasse.  
But, since he cannot, Reader, looke  
Not on his Picture, but his Booke.

B.I.

This epigram yields a message when the letters only are 'squared', or closed up into columns. However, a more basic approach produces devastating results.

As a play on words, the title instructs, 'Reader - the To'. Translated into phonetic cipher, To is 2. Or, in the numerical cipher of the 24-letter alphabet where A=1, B= 2 etc., with I=J and U=V, then To is 19 + 14 = 33. In other words, Ben Jonson tells us to look for numbers - "Reader, the 2 (and) 33". He confirms this immediately by allusion; 'This Figure....' The initial letters of the alternating, leading lines also confirm that we are on the right track; 'TWO H (is) B'. (Letter H, according to the historian Camden, is allowable as a 'null'.) After going down to the 9th line, we have to read along it. Every 6th letter (here underlined) after B gives c n a o, an anagram for Bacon. The numerical equivalent for that name is 33. Theosophically, this number gives 3 + 3 = 6(th letter) and 3 x 3 = 9(th line) in confirmation of the cipher. Hence, the Folio's very first word (To) is actually a code for the number 33.

Two basic arithmetical operations with those digits take the reader to Ben's second instruction. Indeed, we 'look' in that line and find an encipherment. A name the number of which is precisely that of the code word. Four unequivocal appearances or uses of 33. Marvellously self-consistent and logical, is it not ?

### Masonic Mystery

That above opening ode is signed not with its author's name but with his initials. 'B.I.', where J is printed I. In Masonic literature these stand for the names of the two columns at the entrance to King Solomon's temple, namely Boaz and Jachin. Consequently, we can appreciate Alfred Dodd's observation that:

We get the initials for the Two Pillars of Masonry in the (Folio's) first page, as though on guard before a secret shrine of esoteric knowledge.

He demonstrates, in *Shakespeare, the Creator of Freemasonry*, the necessity for a number of printer's 'errors' in the First Folio and explains how its plays display 'all the true and proper signs to know a Mason by'. In the Folio's preliminary addresses, Shakespeare is referred to as 'a Worthy Fellow', 'Worthy Master' (1632 edn.), and:

Over the head of (Ben Johnson's two-page poem 'To the memory of my Beloued) THE AVTHOR' is printed SEVEN SET SQUARES that the brethren might know that, "Here is a MASTER that rules by the Square".

The content and initial letters of the relevant lines of the plays, so this Masonic historian affirms, not only allude to the Craft but also outline its rituals. Dodd states that the best examples are to be found in two plays. *Loves labors lost* (LLL) tells of a male-only academy founded by three free seekers who swear for three years (degrees) to keep the statutes revealed yet concealed in the play. Act V shows how the author has 'cogged' the actual Masonic password in the correct manner - parted, halved and lettered. The play also has:

"Seek the light of truth",  
"We visit the lodge ... come Jaquen,"  
"One (sound) more than two ... which the vulgar call  
three (knocks)."

The other play is, of course, *The Tempest* (TT). Its plot for Prospero's murder is the prototype for Masonic ritual's enactment of the martyrdom of Hiram Abif, traditional Grand Master of Freemasonry. (References to this legend, unknown elsewhere, run like a thread throughout the plays.) We find in this play:

"Every third thought (degree) shall be my grave",  
"Here lies your brother ..., it's like he is dead".

The dedication to *Shake-Speares Sonnets*, dated 1609, is signed 'T.T.'. this is taken to be their publisher Thomas Thorpe. Could it not also mean 'Thirty Three'? And 'TT 1787' is said to be carved at the feet of Pope's statue of Shakespeare in Westminster Abbey. These letters may also mean the 'Triple Tau' so familiar to Royal Arch Masons. But do Masons know that Bacon used it as one of his three numerical ciphers? When the Simple Cipher for the Elizabethan alphabet is continued beyond Z = 24, by repeating each letter (AA = 25...ZZ = 48, AAA = 49 etc), then TIT = 67. This number is the equivalent of the name Francis. Thus, his full name Francis (67) Bacon (33) adds to 100. You may surmise that any geometrical arrangement of three letter T's could form a squared cipher-pattern. In fact, just such a pattern is found in the dedicatory epistle to the Folio. There, TTT is closed up with the common crossbar being the plaintext word 'Shakespeare'. In adjacent columns three verticles are short anagrams. That of the central T spells Bacon' and the others jointly make 'Temples' (which is also the plaintext signal). This is fully explained in Ewen Macduff's *The Sixty-Seventh Inquisition*.

Idries Shah states in *The Sufis* (1966) that 'Masonic rituals and terminology can be decoded using Sufi systems. One cannot but conclude that there is a strong, underlying bond between Sufism, the Shakespeare works, early Freemasonry, the true Templars and the real Rosicrucians. Indeed, there have always been fraternal ties between the last two Orders.

Alexander Pope's poem *Universal Prayer* was influenced by his Masonic tuition, so claims the *Transactions* for 1925 of the Quatuor Coronati Lodge, the premier lodge of Masonic research. It further states that his name, and those of his literary associates Jonathan Swift and John Arbuthnot, are listed as brethren in the Grand Lodge Minutes for 1730. This was not long after the first Grand Lodge was organised in 1717 by existing lodges. That Pope was also a Rosicrucian, and so received Shake-speare's 'secret legacy', is

proved by his prominent role in raising Westminster Abbey's monument to William Shakespeare in 1740. (Later, I shall deal with the Rosicrucian significance of its design.) I noticed that its central feature appears in an extremely rare emblem discovered by the later Professeur Pierre Henrion, one time Assistant Director (réservé) of NATO's cipher service for Central Europe. Our esteemed Baconian wrote that the emblem, shown below, is contemporaneous with the first *Constitutions of the Free-Masons* published in 1723. Thus, it pre-dates the Abbey's monument. (See Fig. 1.)



(Fig 1)

### Rosicrucian Revelation

The origin of this allegorical picture is in the Baconian school. Its motto 'Tenet Meliora' - the better times have arrived - is directly related to Sir Francis Bacon's personal motto 'Moniti Meliora' - warning of better things. It is reasonable to suppose that whoever published it did so to announce the realisation of Bacon's scientific and literary plans. He was the father of The Royal Society. This renowned scientific body had received its royal charter in 1662. We may speculate that those plans may have included the establishment of Freemasonry. However, the emblem's inclusion of winged Pegasus atop Mount Parnassus suggests that the better times refer-

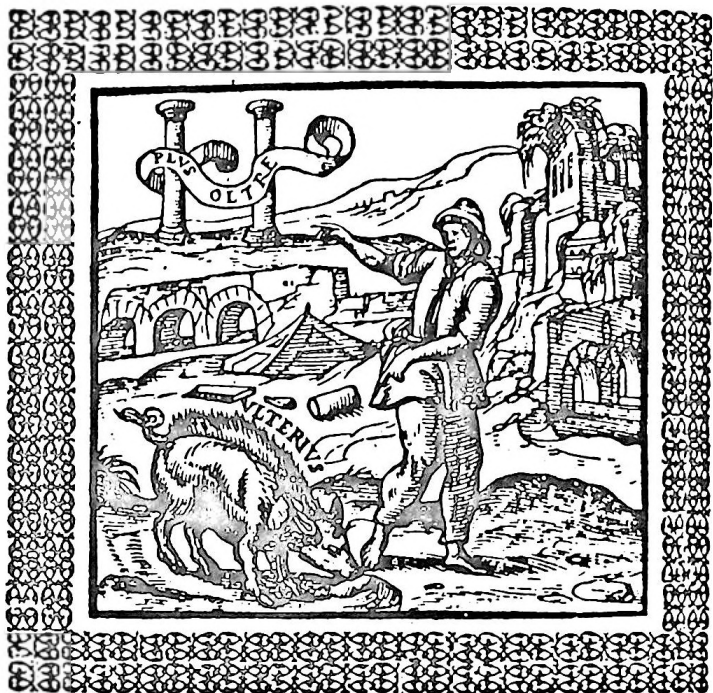
red to are related to literary advances of the early 1700's. (These insignia of literary inspiration, with the rising sun, refer to the comparison of Bacon with Apollo, so familiar to Baconians.) In those 'better times', the works of William Shakespeare were completely revised by Rowe, Pope and then by Theobald. Their increasing popularity culminated in the erection of a monument to him in Westminster Abbey. A monument whose main feature is strikingly identical to the triple-faced pedestal topped by three books in the 'Tenet Meliora' emblem - alluding to 3 3 ? Can we doubt that William Kent based his design for the memorial upon that picture ? In the centre of Rosicrucian lodges a triangular pedestal bearing three candles represents Divine omnipresence. As both the monument and emblem are rich in Rosicrucian symbolism, it proves that the invisible fraternity was closely connected with the literary world during the sixteenth to eighteenth centuries.

How can we be certain that this emblem is of Rosicrucian significance ? Its central seal is an elaborately intertwined monogram AA. These letters are found in the centre of ornamental headers to Elizabethan and Jacobean books starting with *the Arte of English Poesie* printed by Richard Field in 1589. (Four years later saw *Venus and Adonis*, Shakespeare's first work, off Field's press). However, double-A had been printed three years earlier in the picture 'In Dies Meliora' - towards better times (akin to Bacon's motto) - of *A Choice of Emblems* by Geoffrey Whitney. (See Fig. 2). This has the two letters joined down their adjacent sides to look like a pyramid. Is it just coincidental that Francis Bacon likened the structure of his philosophical system to a pyramid ? Or, that the first and last letters of Athena, his muse, are AA ? The first occurrences of the double-A are discussed in depth, with many examples, by Peter Dawkins in his latest study of ancient wisdom, *Arcadia* (published by The Francis Bacon Research Trust). He relates the meaning of AA directly to the symbolism of the six-pointed star because of their similarity when one letter is inverted and superimposed upon the other.

What do the successors of Bacon's 'Sons', his secret students of the Rosy Cross, know about the double-A ? *Pronunziamento* 777 issued on 17th July 1921 by the American Rosicrucians declared that, outside America, the Order's name is "hidden under the initials A.A., or A, or A.A.A." This secret cipher is based, it states, upon the repetition of A in the initials of the Order's full Latin name - *Antiquus Arcanus Ordo Rosae Rubeae et Aureae Crucis*.

In dies meliora.

EMBLEMA XLV.



(Fig 2)

The document's author, Dr Harvey Spencer Lewis, was not only the head of a modernised Rosicrucian Order but also Vice President of the Francis Bacon Society in America.

He proclaimed the Order's aims and actual achievements in America and explained its connection with, and his authorisation by, the old Order in Toulouse, France. (Also, he claimed that it originated at the time and under the protection of Emperor Charlemagne).

In referring to that Order's cipher the pronouncement from the 'new Atlantis' indirectly explains the appearance in London, eight years earlier, of a fourth version of the double-A. It is buried in the reprint of the famous, seventeenth century Rosicrucian story,

*Comte de Gabalis*, published under the pseudonym of 'The Brothers'. This is the novel so highly recommended by Pope, in his *Rape of the Lock* (1712), as an introduction to the Rosicrucians. In their modern edition The Brothers unveiled most of the story's hidden meaning with hundreds of commentaries. The one entitled 'A Allegory of Eve and the Serpent' starts with a historiated (decorative) initial. The casual reader may not notice the first of the pair of A's because it is dissimilar to the print. It is white whereas the other is black. So, the eye naturally reads the second A as being the start of 'Allegory'. That black A is in the top right corner of a small rectangle illustrating Eve handing the fruit of the Tree of Knowledge to Adam. A large white A goes from top to bottom of that design. (See Fig. 3.) Thus, the cipher is in its traditional guise of one light A and one dark A. The true worth of this remarkable book has been completely overlooked by historians. And even those versed in esoteric societies have been unaware of its Baconian - Rosicrucian cipher. It is yet another clue along the treasure-trail from Bacon's time to ours. Keep looking and more will turn up.

## COMMENTARY.



**A** LLEGORY OF EVE AND THE SERPENT.—The primordial electricity or Solar Force, semi-latent within the aura of every human being, was known to the Greeks as the *Speirema*, the serpent-coil; and in the Upanishads, the sacred writings of India, it is said to lie coiled up like a slumbering serpent. In the

(Fig 3)

## OBITUARY

We record with the utmost regret the death of Noel Fermor on April 8th 1987.

He joined the Society in 1945 and his selfless devotion to the Cause of Sir Francis Bacon lasted unabated for over thirtyfive years. At an Annual General Meeting in 1952 Noel Fermor, Commander Pares and Nigel Hardy were all "proposed and seconded and duly elected Council Members", and they each proved to be wonderfully loyal, wise and dependable in the execution of their duties. When in 1963 Commander Pares was elected President, Noel Fermor succeeded him as an able Chairman. The latter also laboured arduously in the capacity of an active Editor since 1952, firstly as Co-Editor with Martin Pares and then, after the Commander's death in 1982, as the sole Editor of the Society's Journal *Baconiana*.

Like Martin, Noel was a fervent and courageous champion of Francis Bacon, never losing an opportunity to endeavour, through his Editorials, Book Reviews, Letters To The Press and other correspondence in *Baconiana*, to vindicate the character of the great 'savant' and his plans for the betterment of mankind from the slurs which have persisted in the minds of the public. He was indeed a seeker after truth who was also valiant for truth.

Year after year much time must have been spent and a great deal of thought given by Noel to Baconian affairs in order to perform the duties of Chairman and Editor simultaneously and the membership owes him a vote of thanks for his selfless work, always given in an honorary capacity in the true Baconian tradition.

It is with a sense of deep gratitude that I say farewell to Noel, a caring and dedicated Chairman of the Society, a painstaking Editor of its Journal, a valued and self-effacing Baconian colleague, a gifted stockbroker, and to me personally a kind and generous friend.

E.B.



## THE VILIFIERS OF VERULAM.

The Hon. Sir John A. Cockburn K.C.M.G., M.D.

DURING the life of Francis Bacon there was little said to his detriment. Hepworth Dixon remarks:

The lie against nature in the name of Francis Bacon broke into high literary force with Pope. Before his day the scandal had only oozed in the slime of Welden, Chamberlain and D'Ewes;

Of these the last named is, from the position that he occupied, the most noticeable; it is therefore important that the value of his testimony should be investigated. The *Gentleman's Magazine*, Vol. II., 1846, contains a review of the Autobiography and correspondence of Sir Simonds D'Ewes; therein it is stated that his opinions of the men with whom he occasionally came into contact is very often not to be trusted, because, in the words of the reviewer:

D'Ewes was a narrow-minded man, who looked with strong prejudice upon everyone whose faith did not exactly square with his own, and in reference to such persons was uncharitably willing to believe all kinds of nonsense. Hence his slanders against Lord Bacon and Sir Robert Cotton, and his depreciation of Selden and many other persons.

The political enemies of Lord Verulam were astounded at the success of their infamous Cabal. It seemed incredible that the great Chancellor, the glory of his age, should have been laid low so easily. They were not aware of what had passed behind the scenes between the King and Buckingham and the wily prelate, John Williams, who supplanted Bacon as Keeper of the Great Seal. His advice was to save the favourite and the Crown by a vicarious sacrifice. Neither could it have been known that at His Majesty's entreaty Bacon abandoned his defence and consented to offer himself as "an oblation to the King." Possibly the dread of pressing the fallen Lord Chancellor beyond the limits of human endurance sealed the lips of his adversaries. He might have been driven to make recriminations. His peremptory demand to Buckingham for release as a prisoner from the Tower, - "Good My Lord, Procure the warrant for my discharge this day," - may have acted as a salutary warning to the then all-powerful favourite.

Next to Pope, whose brilliant line on Bacon as the "Wiseest, brightest, meanest of mankind" (see editorial) has provided the text for a host of libellers, comes Mrs Catherine Macaulay as the

foremost of Bacon's calumniators. Her name is now almost forgotten but for several generations she was regarded as a great and reliable historian. Pope's craving for antithesis was irresistible. No attribute could have been more inappropriate to Bacon than meanness, for lavish generosity was with him almost a weakness. But the poet required a dark background to set off the panegyric of the other adjectives. No such excuse can be offered for Mrs. Macaulay. She seizes on the word "meanest" to sum up her delineation of Bacon's character and writings. She was a republican and a radical, and naturally Bacon, as a whole-hearted supporter of Monarchy, was obnoxious to her views. But no political prejudice can serve as an excuse for the following shameful words as applied to the greatest of England's philosophers and statesmen:

Despicable in all the active part of life and only glorious in the contemplative, him the rays of Science served to embellish not to enlighten, and philosophy herself was degraded by a conjunction with his mean soul.

One would have thought that such intemperate language applied to him who is universally admitted to have been the father of experimental philosophy would have put the writer out of Court as an unreliable historian. Yet Lecky called her the ablest writer of the new radical school, and her *History* was by some preferred to that of Hume. Her maiden name was Catherine Sawbridge, but she is known by the surname of her first husband, Dr. George Macaulay. Her *History of England* was published in eight volumes from 1763 to 1783. It had a wide circulation and was translated into French. It inspired Madame Roland with the ambition of being "*la Macaulay de son pays*." She visited Paris in 1775 and was received with great honour. In 1785 she was entertained for ten days at Mount Vernon by General Washington. A white marble statue of her was placed within the altar rails of St. Stephens, Walbrook, in which she was represented in the character of *history*. A vault was also constructed to receive her remains. But the statue was afterwards removed and the vault was otherwise utilised. Many portraits of her were painted and a medallion was struck in her honour. Pitt eulogised her *History* in the House of Commons. She was noted for her vituperative language. Being addicted to the use of rouge, Dr. Johnson remarked of her that it was better that she should "redden her own cheeks" than blacken the character of others.

It is an ungrateful and repulsive task to say anything except what is good of the dead. But Bacon's counsels have played so important a part in founding the British Empire, and obedience to them is so essential to its maintenance, that the veracity of his vilifiers demands enquiry. They have known no restraint in their ghoulish propensity to desecrate his memory and in the interests of justice their own characters must be subject to post mortem examination. In the *Gentleman's Magazine*, Part II., 1794, p. 685, the following quotation is given from Isaac D'Israeli's *Dissertation on Anecdotes*.

I shall not dismiss this topick, without seizing the opportunity it affords of disclosing to the public an anecdote which should not have been hitherto concealed from it. When some Historians meet with information in favour of those personages whom they have chosen to execrate as it were systematically, they employ forgeries, interpolations, or still more effectual villainies. Mrs. Macaulay, when she consulted the MSS. at the British Museum, was accustomed in her historical researches, when she came to any passage unfavourable to her party or in favour of the Stuarts, to destroy the page of the MS. These dilapidations were at length perceived, and she was watched. The Harleian MS. 7379 will go down to posterity as an eternal testimony of her historical impartiality. It is a collection of State-letters, this ms. had three pages entirely torn out; and it has a note, signed by the Principal Librarian, that on such a day the MS. was delivered to her; and the same day the pages were found to be destroyed.

Mrs. Macaulay's second husband, Mr. Graham, wrote letters to Mr. D'Israeli containing such insults as proved him to be an apt pupil of his wife's methods. Witnesses were reluctant to come forward to verify their previous statements, but Mr. D'Israeli in the final letter of the correspondence sees no argument or fact in what was brought forward to disprove the truth of the anecdote which he recorded. It would be interesting to know if Mrs. Macaulay ever had access to the MSS. in the Lambeth Palace library. That would explain many things.

This dissertation on the life of a lady now relegated to oblivion would appear superfluous, but it should be remembered that Mrs. Macaulay's *History* was regarded as a classic when Lord Macaulay was in his youth, and he could hardly have escaped its influence. His own delineation of Bacon's character has been described as "a mere heap of contradictory qualities" which could

not have co-existed in any individual. Yet in the eyes of an uninformed public it still holds the field. Lord Chancellor Campbell copied even its errors with meticulous care, just as a Chinese tailor reproduced in a new suit of clothes a patch on a sailor's old garments. Lord Campbell adopted Pope's glittering line as the text of his treatise, and his example has been followed by a host of feeble imitators whom it would be tedious to enumerate.

Not long ago one of the greatest of legal luminaries said that it was now unnecessary to write a Vindication of Verulam, because no one of any consequence credited Macaulay's accusations. But the flood of vituperation which found vent at the Tercentenary of Bacon's death, even from some men of literary fame, proves the contrary. Spedding's *Life and Letters of Francis Bacon* and his *Evenings with a Reviewer* fully dispose of the slanders against Verulam, but Spedding's works are too voluminous for the ordinary reader, and alas! one often finds them with the pages still uncut.

Never were words uttered by Lord Macaulay more true than when he said that "no reports are more readily believed than those which disparage genius and soothe the envy of conscious mediocrity." It is human nature for certain types of mind to hate any one who morally and intellectually towers high above their ken. But John Aubrey said that all that were good and great loved and honoured Bacon. Perhaps the converse holds good of the present day Vilifiers of Verulam.

---

## COMMENTARY

The above article by Sir John Cockburn, printed in the July 1927 issue of *Baconiana*, reveals the unscrupulous lengths to which certain people will go to knock a good man down. The purpose behind these attacks on Bacon's character of course varies. In Mrs Macaulay's case it seems that it was her hatred of Bacon on political grounds. In Thomas Babington Macaulay's case it was used as a means of ingratiating himself with the Whig administration and their powerful friends. His infamous attack in the *Edinburgh Review* of 1837 upon Basil Montagu's estimate of Bacon's character in his *Works of Francis Bacon* was exposed by Harriet Martineau in her *Biographical Sketches* of 1869. She deplored the "shame and rebuke" on Montagu and wrote of Macaulay's ignorance of the subject with which he was dealing.

In an earlier article in *Baconiana* Sir John quoted Mark Pattinson's article on Macaulay in the *Encyclopaedia Britannica*:

When he is describing the merits of friends and the faults of enemies, his pen knows no moderation. He has a constant tendency to glaring colours, to strong effects and will always be striking violent blows. He is not merely exuberant but excessive. His propositions have no qualifications. Uninstructed readers like this assurance as they like a physician who has no doubt about their case. But a sense of distrust grows upon the more circumspect reader as he follows page after page of Macaulay's categorical affirmations about matters which our own experience of life teaches us to be of a contingent nature. We inevitably think of a saying attributed to Lord Melbourne, "I wish I were as cocksure of any one thing as Macaulay is of everything".

Later writers, who accept Macaulay's lies and insinuations about Bacon, are inspired by their hatred and fears concerning the Bacon-Shakespeare controversy which might one day topple them from their imposing pedestals. Others have attacked Bacon for more subtle reasons. For example, a number of people are concerned about his association with the Rosicrucian fraternity which has now been admitted by the learned Frances Yates in her *Rosicrucian Enlightenment* and her *Occult Philosophy in the Elizabethan Age*. These people will assert that this fraternity, which sought the advancement of learning which would further a love and better understanding amongst men, consisted of evil and untrustworthy men who became the sworn enemies of the Jesuits.

It may well be that these writers are particularly anxious to discredit Bacon at this time when his authorship of the Shakespeare plays and poems is beginning to be recognised by those outside the aegis of the Francis Bacon Society. And they usually have support of the media whose commercial instincts prompt them to give their readers what they like while, at the same time, persuading them what to like. Rarely are those readers reminded that, in his day, Francis Bacon's contemporaries called him, "The Glory of his Age and Nation", "A Muse more rare than the nine", "The leader of the muses choir" and "Your virtue provides you with an ever-lasting monument". We also have John Aubrey's later remark, "All that were great and good loved and honoured him" and Alexander Pope's dictum, "Lord Bacon was the greatest genius that England, or perhaps any country, ever produced".

Was such a man either corrupt in the Court of Chancery or guilty of telling lies to the House of Lords? Let us see what the Barrister, Hepworth Dixon, said of him in his *Story of Lord Bacon's Life* of 1862:

In this Act of Submission and Confession, the general plea of guilty is limited in kind and in degree by the particulars. Bacon admits the receipt of the several gifts, fines, fees and presents, some by his officers, some by himself; if the receipt of such fees and gifts is held by the Peers to be proof of corruption, he confesses to the offence. But he ends where the facts end, nowhere admitting, nowhere showing his judges to infer, that he had ever accepted a fee or reward to pervert justice.

The Francis Bacon Society was founded a hundred years ago in the belief that Viscount St Alban was a man with clean hands and a clean heart. This has often been taken to mean that he was innocent of taking bribes and that his admission of guilt to the Lords was made under duress, the King having commanded him to desert his defence. In our last issue of *Baconiana*, however, a correspondent claimed that either Bacon was guilty of corruption, which he fully admitted, or he was guilty of telling lies to the Lords.

Obviously, if one's assessment of this impeachment is based on the evidence of the official law reports, Viscount St Alban will be found guilty of the charges and was rightly punished. This seems to be the view of Lord Denning. But, as Hepworth Dixon showed, this is not correct. Kendra Baker, another lawyer, wrote in his little pamphlet *Bacon's Vindication*:

The Fee-System, that is the presenting of gifts to judges for their services, which had existed from time immemorial, pernicious and objectionable as it was, was yet the only means by which judges were paid their wages.

Hepworth Dixon stated:

When he (Bacon) found the case to go on, he expressed to Buckingham his indignation at the course pursued by Coke: "Job himself, or whoever was the justest judge, by such hunting of matters against him as hath been used against me, may for a time seem foul. If this is to be a Chancellor, I think, if the Great Seal lay upon Hounslow Heath, nobody would take it up.

Bacon, in fact, had long wished to reform this fee-system and yet he and all the other law officers, Sir Edward Coke in particular, had been party to it. In this respect, therefore, he was able to plead

guilty of corruption without telling lies. It was a corrupt system. His feelings on this were made perfectly clear in his letter of 25th March 1621 to the King. In it he wrote:

...and for the briberies and gifts wherewith I am charged, when the book of hearts shall be opened, I hope I shall not be found to have the troubled fountain of a corrupt habit of taking rewards to pervert justice; howsoever I may be frail and *partake of the abuse of the times.* (my italics.)

He ends this pathetic letter by saying.

...and now making myself an oblation to do with me as may best conduce to the honour of your justice, the honour of your mercy, and the use of your service, resting as clay in your Majesty's hands.

If we now turn of Sonnet 125, it will be seen to contain an excellent paraphrase of these words:

Noe, let me be obsequious in my heart,  
And take thou my oblacion, poore but free,  
Which is not mixt with seconds, knows no art,  
But mutuall render onely me for thee.

This sonnet also contains the words 'impeacht' and 'subbornd Informer', and in addition, it contains a cryptic 'signature' FRANCIS ST ALBAN AUTHOR which proves that these sonnets were not published in 1609 as is generally thought. It was the strange spelling of the word 'oblacion' which suggested a look for cipher in this sonnet and the C of this word produced the C of FRANCIS.

T.D.B.

## ANDREA ON BACON

Richard Barker

There is not much left to us in this world, rocking in its delirium from East to West, worthy of contemplation or allegiance beyond the lives and works of the geniuses of the past and the few faithful and understanding devotees in the present who carry the torch which they lighted at the Cosmic shrine. If for no other reason, that is reason sufficient for a jealous guardianship of their name and word.

Thus wrote the foremost Rosicrucian sage of modern days when he militantly denied the inference that because Bacon wrote shrewdly and cleverly he, therefore, was not good. Raymund Andrea lived 1882-1975. His admiration for genius led him into a thorough study of its nature and to write several sketches of its exemplars, including Sir Francis Bacon. Keen insight into his own experiences and a thorough analysis and application of the technique of the well-known masterminds enabled Andrea to take the short step to a belief in the 'perfected' spiritual genius of the servants of the Most High. He concluded that the techniques of both kinds of genius are derived from the realm of divine inspiration. Raymund Andrea earned the epithet of 'militant mystic' for his several books about the path of inner development. They are without equal in mystical literature as personal guides along the path, from the awakening of inner awareness to the pinnacle of service to humanity. (Please note carefully that this is in the proper sense of mystical, not the connotation commonly assigned to it of occult or magical.)

What makes Raymund Andrea an exceptional authority on Bacon? It is not so much because he was the highly revered Rosicrucian Grand Master for Great Britain: to many that would be a dubious qualification. Nor is it because of his personal knowledge of the arcane lore in the old Rosicrucian novel *Comte de Gabalis*: very few are aware of its significance as a Baconian thread through time (I shall explain this in a future journal). Nor is Andrea's authority that of a recognised scholar. His authority derives from his investigations and personal realisation of the nature of genius. Andrea's own attainment enabled him to perceive intimately Bacon's inner self, harmonise as a kindred spirit, and so realise the true motive in his heart.

All this may sound too unusual or far-fetched. But credibility in Raymund Andrea's opinion is strengthened because he avoids precisely those issues that Baconian students would expect him to have seized upon. Namely, upon Bacon's involvement with the Shakespeare works or upon his royal origins. Even his Rosicrucian labour is acknowledged merely in passing:

Nor is *The New Atlantis* merely a fable to Rosicrucians, who claim Bacon as one of their elect and, indeed, that in this work he is speaking of the Mysteries and identifying the community therein referred to with the Fraternity of the Rose Cross.

To Andrea the only matter of true worth is the Eternal, one's personal attempts to realise it and teaching the way to this. Self-awakening is no easy path strewn with roses but an uphill climb beset with trials and struggle along the straight and narrow, even for Viscount St Alban:

It should be superfluous to recount even the outstanding events of this great life. Everyone should know it; everyone who is interested in the spectacle of a master spirit pursuing its troubled course to the achievement of its mission in the face of formidable adversity and trial.

After so writing, Andrea briefly reminds his reader that nothing less than a volume would do justice to an account of the fullness of Bacon's life. Then suddenly he drops a pearl of great wisdom. One of especial import to Baconians:

And what more about Bacon can be said than has been said? Much more, no doubt, if we had the secret cypher which this, one of the greatest of thinkers and Rosicrucians, carried in his own heart and which the law of genius forbids that others shall ever read. Nothing more, if the recording is but that of the clearly marked and measured steps he took under the all too critical eyes of his time.

Another point in favour of Raymund Andrea's qualifications is the fair-minded manner in which he dealt with the criticism of leading biographers, such as Macauley and Church, despite the great severity with which Bacon has been judged - "Macauley lavished the most superlative praise upon Bacon's works but not one word more than they merited. His strictures were against Bacon the man." Were it not for Bacon's imperfections in some of his interpersonal relationships "Macauley would have regarded him as perfect and a saviour of mankind". Yet who has not participated in the

frailty of human nature? I would add that the performance of some practices, or conduct, acceptable to society causes an acute attack of conscience in the mind and heart of one treading the path of enlightenment. Why? Because he or she knows of the higher standards demanded by the soul and that failing to follow its dictates hinders progress. So, it ought not be too difficult for us to contemplate and appreciate Bacon's inner response to those episodes unbecoming of his ideals. It can be sensed in some of his writings.

Andrea cites two events early in the philosopher's life the lessons of which resulted in his later actions giving cause for criticism. One was the sudden reversal of fortune upon the death of his father Sir Nicholas Bacon. He had depended upon his support for the furtherance of his idealistic plans. But after Sir Nicholas' death this could be achieved only by being an importunate suitor for preferment. The other event happened much later when, as Member of Parliament for the Commons, Bacon incurred the Queen's deep displeasure and experienced the withdrawal of her favour. Consequently, he keenly realised the inadvisability of plainly speaking his opinions or the truthfulness of things. Andrea's empathy with his subject is striking when discussing the prosecution of Essex; "This dark episode in Bacon's life is painful reading". Although many argue about it from different points of view, the modern Rosicrucian leader proffers no excuses save to quote Bacon's own comment; "It was laid upon me with the rest of my fellows".

The facts upon which Macauley formed his own assumptions and criticisms are precisely the same as those upon which others - no less qualified than he - find justification rather than condemnation. Just because Macauley was dogmatic in judgement is no sound reason, argues Andrea, for rejecting the assessments of his predecessors and contemporaries. The militant mystic does not mince his words:

There is one thing I feel sure Macauley did not possess, which is indispensable to a true reading of Bacon, and that is, the secret cypher in Bacon's own heart which furnished the motives for all he did and wrote. Therefore, true to its law, the way of Bacon's life remains an enigma to the ordinary critic; and even his work, appreciated and quoted the world over, still awaits full interpretation as a structure of mystical inspiration.

It takes a big man to be an inspirer of genius, Bacon inaugurated a school for genius. He corrected genius that preceded, and inspired that which followed, him. Both Pascal and Goethe, to name but two of the world's greatest thinkers, were

indebted to him. Enfolded within his cryptic writings is the master key of wisdom to practically all that the mind and heart or man are capable of. This did **not** come of the learning of other men: it comes of the man being in rapport with Cosmic sources and being inspired to "wish to be an anathema from Christ for the salvation of his brethren"; and it "shows much of a divine nature and a kind of conformity with Christ himself".

Only a 'specialist' can recognise another - to paraphrase Dr Richard Bucke's personal findings, as in *Cosmic Consciousness*, his classic analysis of occurrences of mystical illumination.

As one would expect of a Rosicrucian sage, Raymund Andrea was interested purely in the eternal aspects of soul culture not in the failings of the transient outer human nature. His perspicacity penetrates to the essential and by-passes the relative. The biographical is merely incidental but the true measure can be revealed in Bacon's literary works and the impulse he gave to others.

One of the very few authors that Andrea kept next to his Bible was Bacon. He felt a profound relationship between them and noticed that, above all other works, it was to the Bible that Bacon appeared to have been indebted for style, matter and inspirational quality:

His references to it and citations are copious; and his use of them is so impressive and luminous in illustrating and enforcing the particular truth of his text that, in the face of all adverse criticism, I affirm that a deeply religious mind was active even in that department of his writings considered to be especially worldly.

Note the reference to "adverse criticism". Andrea knew his subject so intimately that he was not afraid to speak out. To hammer home his conclusions he elucidates by considering the 'meanest', or lesser, of Bacon's works - the *Essays*. Although regarded as worldly and shrewdly clever they are not, Andrea maintains, below the standard of his philosophical works. They show some of the fullness of Bacon's genius through their careful revision through several editions:

He had an unsurpassed ability for applying the truth of men and things to everyday life and affairs, and this gives the *Essays* their uniqueness in literature. They reveal an amazing insight into and understanding of the workings of the mind and the motives of the hearts of men.

need a restored balance to their minds through a fitting recognition and inclusion within their province of the works of the master minds of the past. And there is none more calculated to restore that balance than Bacon.

Yet I would not recommend all the *Essays* to all and sundry even among such students. The dicta of a master of experience like Bacon are not to be lightly read or narrowly apprehended. Nowhere so truly as here will a reader find in Bacon what he takes to him, and according to his breadth or narrowness will be the acceptance and peculiar application of what is read. The *Essays* may be read with high and noble purpose for instruction and use: they may be read and reduced to a focus of wordly self-interest in their application. But that is not the fault of seership, nor is it a proof that seership it is not. There is not a teaching proceeding from the seership of the mystic way which has not been misread, misunderstood and, misapplied by those, even professing students, who had not the breadth of understanding for its right application.

Such rare, remarkable instruction deserves a careful second reading. Misunderstandings by 'profane' historians may be tolerated. But the shortcomings of aspirants on the 'path' must be firmly corrected.

You may well object that this resumé fails to answer the specifics of another article. True, it is short on verifiable facts. Yet without recorded explanations of thoughts and feelings we may speculate forever. That would be a futile and sterile task. History has never given us perfect people. It is contemptible for even our great contemporaries to presume to be "God's own journeymen sent to pass final judgement upon the illustrious makers and shapers of the world." It is right and proper that we question basic assumptions and look for facts. But to avoid disharmony it is also necessary that we raise our approach to an enlightened plane.

Readers may have wondered in what regard Rosicrucians hold Bacon. I have summarised the knowledge of the one who knew him best. Raymund Andrea's insight ought not to be ignored. The mystery of Francis Bacon's personality is heightened by Andrea's summation:

In spite of his depth and fulness and his seership into the heart of things, he comes so near to men in this the common way of life that they have given little thought to the fact that he was a Cosmically inspired man; that he trod the winepress alone, and of the people there was none with him, and brought his wisdom from the deep places of mystical revelation. But students of the

Great Art have no difficulty in tracing his thought to these mystical sources. What his mother called his 'enigmatical folding writing' derives in no small measure from this quality of mystical seership. He was profoundly versed in the secret cypher of the hidden side of nature, and used it in so unique and practical a manner as to be almost completely overlooked by the general student and critic and dismissed as a myth by the cultured. 'It is used systematically', says a scripture, 'by the Adepts in life and knowledge, who, seemingly giving out their deepest wisdom, hide in the very words which frame it its actual mystery. They cannot do more. There is a law of nature which insists that a man shall read these mysteries for himself.' The words are almost Bacon's own, so true are they of himself and his method.

Quotations from *The Mystic Way* biographical sketches by Raymund Andrea FRC are reproduced by kind permission of the Supreme Council of the Rosicrucian Order (AMORC) Inc.

# WAS BACON THE SON OF QUEEN ELIZABETH ?

Francis Carr

Everyone knows who Francis Bacon was. He was the author of the famous *Essays*, a famous philosopher and statesman during the reign of King James I. These facts are given in all reference books and encyclopaedias. Some then state that some people think that he wrote the Shakespeare plays. The question marks have already begun to appear. What do we really know about him? Who were his parents? He certainly bore no resemblance to Sir Nicholas Bacon, Queen Elizabeth's Lord Keeper, officially his father. On what grounds do some people consider that Bacon was in fact the son of the Queen and her favourite, the Earl of Leicester?

## The Mystery.

On the first page of the first English biography of this mysterious man, written by Dr. William Rawley in 1657, we come across this startling sentence: "Francis Bacon, the glory of his age and nation, the adorer and ornament of learning, was born in York House, or York Place." Why did he offer two houses as the great man's birthplace? York House was in the Strand, near the Watergate (which is still there); York Place was a term used for *Whitehall Palace*. Surely Bacon's own secretary, chaplain and biographer would know where he was born. But the term, York Place, since the eighteenth century has been disused and forgotten. The hint - if that is what it is - has not been taken up.

As a boy, and as a young man, Bacon was always *persona grata* at Court, although he had no official position and no title. He did not go to Sir Nicholas Bacon's college at Cambridge - the usual custom - but to Trinity College, which was founded by Henry VIII, Queen Elizabeth's father. When Sir Nicholas died, in 1579, he left Francis, his second son, no money in his will. This will is in Somerset House. In spite of this, young Francis Bacon was able to study at Gray's Inn. He was penniless, but someone, we do not know who, was paying his fees. Then for five years, from 1580 to 1585, he continually petitioned the Queen and her ministers regarding his "suit". What this was he never put in writing. In 1592 he wrote to Lord Burleigh:

My matter is an endless question. Her Majesty has, by set speech, more than once assured me of her intention to call me

to her service; which I could not understand *out of the place I had been named to*. I do confess, *primus amor*, the first love will not easily be cast off.

He is clearly referring to a matter which had to remain a secret. In another letter to Burleigh, the Queen's chief minister, he declared: "I have been like a piece of stuff betoken in a shop." Coming from a commoner, this would be regarded as gross impertinence. Another complaint was made by Bacon in a letter to Sir Nicholas' first son (by his second wife), Anthony Bacon: "I receive so little thence, where I deserve the best."

### The Issue.

In 1584, at the age of 23, Bacon was made Member of Parliament for Melcombe Regis (now Portland), then a Royal Borough. In those days, M.P's were not paid. At this time Bacon had no briefs, as a barrister. Who was paying his fees? Nine years later, in 1593, while still poor, Bacon was given, with the Queen's consent, Twickenham Park, a fine villa with 87 acres of parkland, opposite her palace at Richmond. It was in this house that most of his great works were written. It is accepted now by historians that Elizabeth and Leicester were lovers. Immediately on her accession to the throne, she made Leicester Master of the Horse, an important position then, and gave him a bedroom next to hers at Whitehall. They had both been prisoners in the Tower of London, in 1554 and 1555 during Queen Mary's reign. In Dr.A.L.Rowse's excellent study, *The Elizabethan Renaissance*, vol.1, we learn that "of course, in the country and abroad, people talked about the Queen's relations with Leicester. In 1581 Henry Hawkins said that 'my Lord Robert hath had five children by the Queen, and she never goeth in progress but to be delivered.' Other such references occur in the State Papers." We know the names of some of those who went on record as saying that Elizabeth had children by Leicester.

If we refer to the Act of Succession of 1563, we see that it decreed that the Crown, after the death of Elizabeth, would go to the issue of her body "lawfully to be begotten." Eight years later, in 1571, this particular phrase was changed, to read "the natural issue of her body." The words "lawfully to be begotten" were omitted. Did anyone claim to be the Queen's son? Yes, Francis Bacon. In the Northumberland Manuscript, in Alnwick Castle, there is an interesting juxtaposition of Bacon's christian name and William Shakespeare. In the contents list of speeches and other manuscripts we see two items: "*Rychard the second*" and "*Rychard the third*".

Above these two titles is written: "by Mr. ffrauncis William Shakespeare". Over the word "ffrauncis" is written another word which it is impossible to read until the page is turned upside down. Then it is seen that the word is "ffrauncis". Next to it, also upside down, are the words "your sovereign". The probable date of the Manuscript is 1597. At the foot of the page the writer has tried out different spellings of William Shakespeare. At the head we read "Mr ffrauncis Bacon, of tribute, or **giving what is due**".

### **The Tower and the Abbey.**

The next clue can be seen by any visitor to the Tower of London. In the Beauchamp Tower, in which Robert, Earl of Essex was imprisoned before his execution for treason in 1601, there is an inscription carved into the stone wall and which is now covered by a glass panel. It reads: "ROBART TIDIR" - the old spelling of Tudor. In the reference book in the Beauchamp Tower, this surname is twice deliberately misspelt 'Tider'. The visitor can see for himself how the name is inscribed. Leicester, the Queen's lover, was officially the step-father of Essex, having married Lettice, the Countess of Essex in 1567. The Queen was old enough to be Essex's mother; he was her 'favourite', but there is no evidence that he was her lover. She had to sentence him to death for treason and she never recovered from the shock created by his death. There are good reasons for believing that Essex, also, was the son of the Queen. His rebellion bears the stamp of an over-ambitious elder son, chafing at his mother's rule. If he was simply a disenchanted member of the aristocracy, not the Queen's son, his rising would have been the act of a madman, and no-one considered him insane.

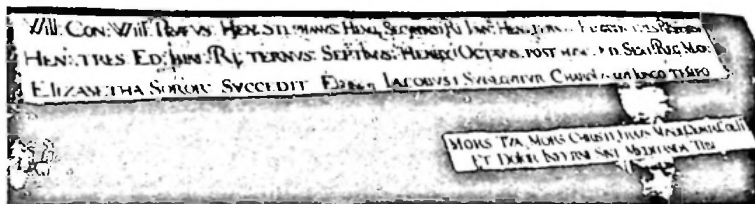
Both the size and the shape of the letters in the inscription are remarkable. They cover an area some two feet wide by a foot in depth; and whoever inscribed those letters took the trouble to shape them in an unusual manner, similar to the lettering found on the paling which surrounds the tomb of Henry VII in Westminster Abbey. Could this be the message that Essex meant us to work out ourselves, that he was a Tudor, the son of Elizabeth, the great grandson of Henry VII? (See Fig. 4.).

If Bacon was Elizabeth's son, her successor, James I, would want a written undertaking that he accepted the new monarch without demur. When Bacon wrote his first letter to James, in 1603, he put on record his allegiance and used one surprising word, 'sacrifice'; "...not only to bring you peace-offerings, but to sacrifice himself a burnt-offering to your Majesty's service." In another let-

(Fig 4)

ter to James, Bacon declared; "...I wish that as I am the first, so I may be the last of sacrifices in your times." Outwardly Bacon sacrificed nothing under the new sovereign. He was knighted, given his first full-time office, and promoted to the position of Lord Chancellor by James. It was in 1603 that Bacon wrote to a friend of his, the poet John Davies, who had gone north to meet the King on his way to London, saying; "...So desiring you to be good to concealed poets, I continue, your very assured, Fr. Bacon."

There is another pointer to Bacon's royal parentage that we can see for ourselves today. In Canonbury Tower, in Islington, in London, in the top room of the tower, there is an inscription on one of the walls. It dates from the reign of Charles I. Bacon rented this old house for nine years, from 1616 to 1625. In this large inscription, all the kings and queens of England are listed, from William the Conqueror to Charles I. Between the names of Elizabeth and James there is a name that has been chiselled out. The first letter is still partly visible. It may have been an F. What this name is, and why it was erased are two questions that remain unanswered. (See Fig. 5.).



The Canonbury Tower mural inscription, showing the unexplained delacement of the letters after the initial capital which follows the Latin Word Succedit



(Fig 5)

In 1621 Bacon was imprisoned in the Tower of London, on a charge of bribery. Only three days later he wrote this surprisingly peremptory letter to the Duke of Buckingham, the King's chief minister:

31 May, 1621

Good my Lord,

Procure the warrant for my discharge this day. To die before the time of his Majesty's grace, and in this disgraceful place, is even the worst that could be.

This indicates that there was a secret deal with the King, that, if Bacon remained silent on the trial and perhaps on his real identity, he would quickly be released from the Tower. Four months later, his enormous fine of £40,000 was cancelled.

No-one knows where Bacon was buried. His monument is in St. Michael's church, St. Albans. There is no account of his death, funeral or burial. The vault beneath the monument has been sealed up, so no-one can discover if his body lies in there. The monument itself is unusual, in that Bacon is portrayed wearing a hat - in church. Is this a symbol of something being concealed, keeping something under his hat? He wears a hat in nearly all the portraits of him in adult life. The Latin inscription on this monument contains one cryptic sentence: "Composita Solvantur" - let the compounds be dissolved. This does remind us of Hamlet's exclamation, "Oh that this too, too solid flesh would melt, thaw, and resolve itself into a dew!" And in *Richard II* the king says, "O that I were a mockery King of Snow!"

The first biography of Bacon appeared not in English but in French in 1631. The author, Pierre Amboise, had no doubts about his subject's parentage:

He saw himself destined one day to hold in his hands the Helm of the Kingdom. He was born of the Purple.

### **The Museum.**

Our hunt for clues now takes us to the British Museum. In its *Catalogue of British Drawings* there is a pen-and-ink drawing by Nicholas Hilliard, entitled 'A Queen and her son'. The queen's face is very similar to that in Hilliard's 'Design for the Obverse of Queen Elizabeth's Great Seal of Ireland', which is also in the British Museum. In the catalogue description of the former drawing we read; "Before her, standing on a footstool, her son, wearing a diadem on his head and doublet patterned with Tudor Roses, and

holding in his left hand an orb, and in his right hand a sceptre with fleur-de-lis, which he receives from his mother." (See Frontispiece). Would the official court painter execute such a portrait if the Tudor Queen had no son?

Whenever Bacon mentioned his father, in writing, he does not give a name. In a letter to James I, just before his trial, he wrote:

I have been no avaricious oppressor of the people. I have been no haughty, or intolerable, or hateful man, in my conversation or carriage. I have inherited no hatred from my father but am a good patriot born.

There is no denying that the Shakespeare plays are the most regal ever written - regal both in content and style. The author wrote about 27 kings and queens, and a recurrent theme is legitimacy. Not only is monarchy the setting and the subject of these plays but also the circumstances of their first performances were often regal. A third of all the Shakespeare plays were first performed for a royal occasion. These include *The Winter's Tale*, *Cymbeline*, *The Tempest*, *Macbeth*, *Measure for Measure*, *The Merry Wives of Windsor*, *Henry VIII* and *King Lear*. There is no record of William Shakespeare being presented to Queen Elizabeth or King James. If Shakespeare was the author, why did he cover his tracks, leaving no reference to his place of birth and his childhood surroundings? Bacon, in his acknowledged writings was equally silent.

If you ask people to say which, in their opinion, is Shakespeare's greatest play, the majority choose *Hamlet*. The central character of this drama is the heir to the throne - and one of his most moving lines is "but break, my heart, for I must hold my tongue." Great fiction is always auto-biographical. Every great novelist and playwright writes about his own life. There is always a close connection between the written works of a great author and his own experience. Wilde, Byron, Chekhov, Tolstoy, Jane Austen all show this very clearly. One of Jane Austen's friends, Mrs. Barrett, said that Anne Elliott, the heroine of *Persuasion*, was Jane herself.

Why is there no reference in any of the 154 autobiographical Shakespeare *Sonnets* which reveals the author's true identity? He saw to it that this should remain a mystery - at least while he was still alive, a wise precaution if discovery would draw the public's attention to the last of the Tudors.

## HAMLET AND THE DANISH CONNECTION

Thomas Bokenham

In the fifteenth of January issue of *The Listener* was published an interesting article by Lynn ten Kate entitled *Why Shakespeare's Ghost haunts Hamlet's Castle*. The following is an enlargement of my letter to the Editor which was printed on 12th February 1987.

Pierre Porohovshikov, in his *Shakespeare Unmasked*, tells us that "according to the Danish critic, Yan Steffanson, it is a shere impossibility that Shakespeare could have had the knowledge of the castle at Elsinore he displays in *Hamlet* from any kind of books of that time in England."

Porohovshikov believed that Roger Manners, Earl of Rutland, wrote most of the Shakespeare plays, though he credited Francis Bacon with *Loves Labours Lost* and with the poems *Venus and Adonis* and *The Rape of Lucrece*. Bacon, he believed was also responsible for the Shakespeare Folio of 1623, following the death of the Earl in 1612.

Manners was born in 1576, which rules out his authorship of a number of the early plays whose first performances took place in the 1580's and early 1590's. It also rules out the early *Hamlet* which was noticed in 1589 if not before. Many of the details of the castle described by Steffanson appear in the first Quarto of *Hamlet* of 1603, so that whoever recorded those details must have visited Elsinore before 1602 when this play was entered in the Stationer's Register. Steffanson suggested that William Shakespeare may have been one of the players belonging to the Earl of Leicester's company which toured Denmark in 1586. It is not known that Shakespeare was ever a member of this company, and 1586 or 1587 is the time when most critics believe he first arrived in London.

Parker Woodward discovered from *The Apology of Actors* of 1612 that this troupe was commended to the King of Denmark by the Earl of Leicester and "according to existing foreign documents the King of Denmark took into his service a company of English actors". Woodward then goes on to say that George Brandes, the Danish Shakespeare scholar, "was able to affirm that in 1585 a company of English players performed *Hamlet* in the courtyard of the Town Hall of Elsinore, and that this company was transferred in October 1586 to the patronage of the Duke of Saxony". The date given for this performance might well be questioned since Leicester

crossed to the Low Countries with his army and troupe of players in December 1585. In those days, however, the year ended on the following 25th March so that it would have been possible for the players to have reached Elsinore before that time. Among these players, as Lynn ten Kate told us in her article, were William Kempe, George Bryan and Thomas Pope whose names appear as three of the principle actors in the plays published in the 1623 Folio, but it is doubtful whether those details of the castle were supplied by them.

William Thomson, in his *Renascence Drama* of 1880, tells us that "from allusions to it by a contemporary writer (possibly anonymous), a play of *Hamlet* was performed at the University of Oxford in the Spring of 1585". At this time the Chancellor of that University was the Earl of Leicester and it must be clear that this private performance was given by the same company of players which was later taken to the Low Countries and to Denmark. It is a pity that Thomson was not more specific about his source but he does add later that two Oxford Colleges, Corpus Christi and All Souls, staged productions in that year "during one of which a *Hamlet* was performed by the Chancellor's players."

In Edwin Reed's *Coincidences - Bacon and Shakespeare* of 1906, under the heading of "The Stage", we have:

The Shakespeare plays began to appear in London in or about 1580, the *Two Gentlemen of Verona* certainly as early as 1585 before the Queen, and *Hamlet* in 1586. They continued to be acted, sometimes several in the same year and frequently to crowded houses, during the life time of the author, whoever the latter may have been.

In Reed's earlier book, *Francis Bacon our Shakespeare* of 1902, however, a whole chapter entitled *The Early Authorship of Shakespeare* gives us further details of the early *Hamlet*, mention of which is found in an address to the students of Oxford and Cambridge written by Thomas Nash and prefixed to Green's *Menaphon* 1589:

It is a common practice now-a-days amongst a sort of shifting companions that run through every art and thrive by none, to leave the trade of noverint whereto they were born, and busy themselves with the endeavours of art, that could scarcely latinize their neck verse, if they should have need. Yet English Seneca, read by candle-light, yields many good sentences, as 'blood is beggar' and so forth; and if you entreat him fair in a frosty morning, he will afford you whole Hamlets, I should say

handfuls of tragic speeches.

It should be noticed that this concerns one whose trade is that of a "noverint" that is, a lawyer, and the expression "in a frosty morning" certainly seems to refer to *Hamlet* the first scene of which takes place on a "bitter cold" night. According to the *Dictionary of National Biography*, Lucius Annaeus Seneca, the younger, devoted himself to rhetorical and philosophical studies and early won a reputation at the bar. He was also a poet and a writer of tragedies. Reed continues:

The soliloquy "to be or not to be" is mentioned by Nash in his preface to Sidney's *Astrophel and Stella* of 1591 as having been the subject of declamation on the public stage for five years preceeding, or since 1586. 'Nor hath my prose any skill to imitate the almond leaf verse, or sit taboring five years together nothing but 'to be, to be' on a paper drum.

Reed adds a footnote which tells us, "Paper drum is the slang word for dramatic poetry." He also reminds us that the title page of the first edition of *Hamlet* (1603) states that the play had many times been acted at the Universities of Oxford and Cambridge. In a final footnote he adds:

Of all the absurdities of Shakespearean criticism, the notion that the first quarto of *Hamlet* is simply an imperfect version of the second one of 1604, taken down at shorthand in the theatre and surreptitiously printed, is perhaps the most glaring. Besides the occurrence of many passages in the one (1603) which are not in the other (1604) - a fact that ought to settle the question at once - the difference in mental power between the two is so great that nothing but the intervention of a comparatively long period of development in the life of the author can account for it.

It will be remembered that in the play *Hamlet* are many allusions which appear to come from Montaigne's *Essays* which were translated by Florio and published in 1603. Jacob Feis, in his *Shakspeare and Montaigne* of 1884, goes into this in some detail. Some of these allusions appear in the 1603 *Hamlet* quarto, so that its author must have been familiar with these *Essays* in their original French.

William Thomson also tells us that the character and opinions of Hamlet, the melancholy Dane, are similar to those of Giordano Bruno whose philosophical outlook was similar to that of Francis Bacon. Bruno, we are told, was in London in 1583 as a guest of Sir

Philip Sidney and he became a favourite of the Queen who often teased him about his gloomy philosophy. Thomas adds:

Bruno and his colleague Bacon strove together to reform religion, science and philosophy, or as some will prefer to say, the logic of the natural sciences, which Bacon held to be true philosophy, there being nothing coming between science and faith; nor is there. Both were firm opponents of Aristotle, in logic and politics, if not in ethics, denouncing Machiavel, the peripatetic and the Jesuit. On the nature of the soul and man and brute, of the universe, the ultimate efficient, materialism, pantheism and metaphysics they were in conflict or perpetual polemic.

Let us now try and construct an imaginary history of the play, based on these observations. In 1584, the libellous book *Leicesters Commonwealth* appeared in this country and, though suppressed, a few copies were in circulation. In it, the Earl of Leicester was not only accused of causing the death of his first wife, Amie Robsart, but also of causing Robert Essex's father to be poisoned so that Leicester could marry his widow, which in fact he did. Whether the author of *Hamlet* believed this or not, it may have occurred to him that this could form the basis of an interesting play.

At this time, the Queen and her Ministers were extremely anxious about the increasing power of the Catholic countries, Austria and Spain, and also about the activities of the Jesuits who were seeking to undermine the Protestant governments both in this country and on the Continent. Denmark was the most powerful Protestant country in northern Europe and it was obviously necessary to seek some alliance with that country to help combat the efforts of the Catholic League. What better opportunity was there when in 1585/6 King Frederick decided to display his newly completed Kronburg Castle to important visitors? One can assume that a man experienced in these matters should be sent over to Denmark who could negotiate on behalf of his government. Suppose, for example, Francis Bacon's name was mentioned. He had already submitted his *States of Europe* to the government in 1582 which was well received. Bacon, moreover, had been a M.P. in 1584 and his stature as an ambassador would have been enhanced. Let us suppose also that he suggested that Leicester's troupe of players were taken over to perform a play written especially for the entertainment of the Danish Court. What better than to choose a subject which was based on the old Danish legend and retold in Belleforest's *Histoires Tragiques* which, as a matter of fact, had not

yet been translated into English ? This story, which did not include a ghost or the use of poisons, shows Amleth as a pagan thirsting for revenge, whereas Hamlet, as presented to the Danish Court, was an educated Christian Prince in the throes of a dilemma between his natural instincts, represented by the ghost of his father, and his Christian principles. This, of course, changes the play from a typical blood and thunder affair into a drama heightened by problems which civilized man has to resolve. Although the early *Hamlet* may have caused the Earl of Leicester some qualms of conscience it could hardly be faulted on that score since it was an adaption of an old Danish legend which was eminently suitable for the Danish Court.

Suppose then, Francis Bacon accompanied Leicester and his troops and company of actors to the Low Countries in December 1585, he would almost certainly have travelled under an assumed name. In that very month, Philip Sidney wrote from Middleburgh to Walsingham, who would have organised this trip, and said, "Burnham is come to me whom I long longed for and I find myself much steeded (supported) by him. I humbly beseech you to end the matter for him which you promised, for he hath and will deserve it". Sidney and Francis were close friends and literary associates and Walsingham was Sidney's father-in-law. though we cannot be sure who Burnham was, he was clearly one of Walsingham's special envoys and his name is suspiciously similar to burned ham, or Bacon ! What was the "matter" promised by Walsingham to Burnham ? The last reference to Bacon in 1585 reported by Spedding was a letter dated the 25th August, and this letter was from Francis Bacon to the Right Honorable Sir Francis Walsingham about "my poor suit":

I think the objection of my years will wear away with the length of my suit. The very stay doth in this respect concern me, because I am thereby hindered to take a course of practice which, by leave of God, if her Majesty like not my suit, I must and will follow; not for any necessity of estate, but for my credit's sake, which I know by living out of action will wear.

Had Walsingham promised to help Francis in this suit? Or did he perhaps say, "I'll do what I can but first let us see how you get on in Denmark." Spedding's next Bacon reference is dated the 6th May 1586.

For some reason, *Hamlet* was not published during the life-time of Leicester or of the Queen, but the 1603 quarto appeared within a few weeks of her death. From certain evidence it seems to have

been a revised version of the original play. It appears to have been the work of a good scholar but nothing like the mature poet of the augmented and far superior 1604 quarto. Both editions were published by Nicholas Ling and it is suggested that the second one was published at the instance of King James' Danish Queen whom he had married in 1589 and who naturally would have attended the Elsinore celebrations of 1585/6. It will be noticed that, whereas the first quarto carries the well-known "Double A" headpiece, the second one carries as its headpiece the royal arms.

With regard to William Thomson's report that *Hamlet* was performed at Oxford in the Spring of 1585 and later taken to the Low Countries where it was performed at Antwerp before Cardinal Alphonsus and the Infanta of Spain, it would seem that the Oxford performance was a preliminary run through of the play clearly intended for the Danish Court. Its performance in Antwerp must have caused the Spanish authorities some worry since this play revealed the various ways in which poison can be administered secretly, and in the ways the Spanish agents had recently been attempting to poison our Queen. Thomson, in his book, informs us that among the papers at Lambeth Palace are two documents in Bacon's handwriting concerning the Queen's safety. In one of them he suggests that one remedy was "to break the nest of these fugitive traitors and fill them full of terror, despair, jealousy and revolt" and that he must think of other methods. Was one of these, perhaps, to show them in a play that we were aware of their secret methods and so make them think that one of those agents had been caught and made to reveal those secrets? In other words did the play of *Hamlet* contain a strong political motive which would not be lost on the Spanish authorities. ?

## THE DROESHOUT ENGRAVING AND THE BACON FAMILY PORTRAIT

Olive W. Driver

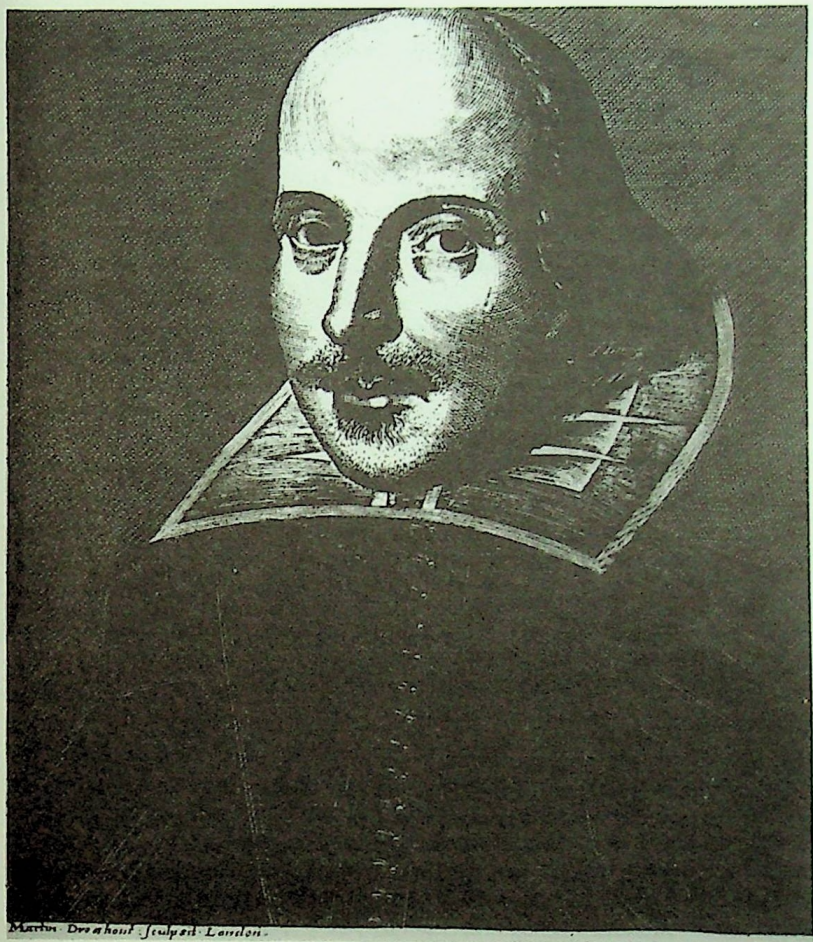
The Droeshout engraving of Shakespeare in the Folio of 1623 is surely one of the most controversial title pages of all time. Baconians have called attention to the wooden appearance of the face, the peculiar dark line between cheek and neck, and the fact that the head and collar are too big for the body and seem to be floating above it, suggesting a mask. They also point out that the left sleeve of the coat is reversed, an old device indicating a hidden message.

It was Ben Jonson who wrote the short verse on the page facing the Droeshout engraving:

This Figure, that thou here seest put,  
It was for gentle Shakespeare cut;  
Wherein the Graver had a strife  
with Nature, to out-doo the life:  
O, could he but have drawne his wit  
As well in brasse, as he hath hit  
His face; the Print would then surpasse  
All, that was ever writ in brasse.  
But, since he cannot, Reader, looke  
Not on his Picture, but his Booke.

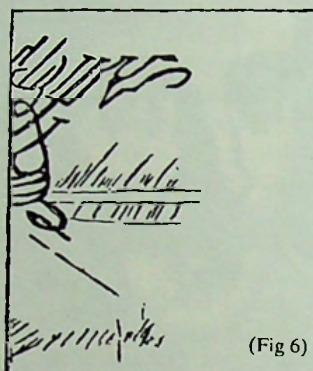
The first two words set the tone of this ambiguous verse. An old meaning of **Figure** is **feint**. Both words are derived from the Latin **figere**, one meaning of which is imitation for the purpose of deceiving. **Figure** also suggests a cipher or secret writing.

In my book, *The Shakespearean Portraits*, (1964, 1966, published by the Metcalf Printing and Publishing Co., Northampton, Mass., U.S.A.) I pointed out the letter **AB** on the white border of the large collar against the hair of the Droeshout engraving. Here the **A** is in the old style, lacking a cross bar. I was also able to decipher the inscription hugging the upper left corner of the engraving as **ANTHONY**. To see this one must turn the engraving upside down and read from left to right and down the side. Renaissance script is employed as well as a stop often used at the ends of lines, in this case a symbol resembling a small reversed **y** after the **T**. I achieved this by the use of background light and tracing paper,



Shakespeare

using a facsimile of the First Folio owned by the Vale University Library and produced by Kökeritz in 1934. (See Fig. 6.)



(Fig 6)

I had already defended the thesis that Anthony Bacon, older brother of Francis Bacon, was the chief author of the Shakespearean plays (*The Bacon-Shakespearean Mystery*, 1960, The Kraushar Press, Northampton, Mass.) I decided to direct my research to the possibility of finding a portrait of the true Shakespearean author. From the many portraits purposing to be Shakespeare I finally selected the Holl engraving of the portrait of the "Young Shakespeare," painted by Frederigo Succhero, an Italian artist who came to England in 1574 to paint portraits of royalty and other important people. Since he had returned to Rome by 1580, it seemed unlikely that he would have painted an obscure youth in his early teens living at Stratford-on-Avon. Furthermore the subject of the portrait appears to be somewhat older than this. The most conspicuous distinctive feature of this portrait is a faint line, resembling a scar, that turns upwards from the outer corner of the left eye and bends backwards to the hairline about half way up the side of the forehead. This feature is also found in the Droeshout engraving of Shakespeare and on the several "Chesterfield type" portraits of Edmund Spenser.

I was convinced that these portraits of Spenser were actually likenesses of Anthony Bacon. However, it was not until I could find a portrait that had descended in the Bacon family from Elizabethan times that I could put the final verdict on this theory.



The Bacon Family Portrait

This portrait was pictured and described in the second edition of *The Shakespearean Portraits* (1966). It had been traditionally described as one of Sir Nicholas Bacon, father of Anthony and Francis, although there was some question about this and it has been suggested that it might be Anthony. Study of this family portrait and of the so-called Chesterfield portraits of Spenser reveal a badly scarred face. Besides the scar on the left side of the forehead, already noted, there are other scars around the left eye: one crossing the upper eyelid and eyebrow diagonally upwards and backwards and three widely divergent scars radiating backwards from the corner of the eye. The left cheek is marred by scars and the left side of the mouth has been damaged so that the mouth is asymmetrical, a feature visible on the Droeshout engraving. In most of these pictures a fine scar can be seen crossing the left side of the lower lip vertically, then trailing diagonally sideways across the chin, faintly visible in spite of the beard. Other features are damage of the lower right eyelid and a tiny projection resembling a pimple on the bulb-

ous part of the left side of the nose against the cheek. It may have been an accident involving his eyes that endangered Anthony's eyesight at the age as fourteen, as recorded in *The Dictionary of National Biography*. Other designated likenesses of Sir Nicholas Bacon that I have seen do not show these distinctive marks. The Droeshout engraving of Shakespeare does. Even the unruly lock of hair in the family portrait is faintly shadowed in the circle of light on the forehead of the Droeshout engraving. (See Fig. 7 & 8.)

Of course there are variations in different copies of the Droeshout engraving. Early copies show these marks better than later prints made after the plate had lost its sharpness. Also, with time plates had to be replaced, on account of the relative softness of the metal used in that period. Furthermore, photographic reproduction often does not do the original pictures justice. However, for those who will take the time and trouble to look with care and discrimination, the marks can be found on good reproductions.

To me, the evidence of the portraits is the final convincing proof of Anthony Bacon's authorship of the Shakespearean plays. I believe that Francis Bacon, who supervised the printing of the Shakespearean Folio, directed the artist to put **AB** on the collar and the **ANTHONY** in the corner of the Droeshout engraving, as well as the distinctive scars of Anthony on the face of the man Shakespeare. To those who knew Anthony well, the Droeshout engraving must have been revealing, although by the time the Folio was published in 1623 Anthony and many of his associates were gone.

It is a pity that Francis Bacon's attempt to conceal the authorship from contemporary society should have also concealed it from future generations for so long. However, the Francis Bacon Society has done well to perpetuate the memory and ideals of Francis Bacon. The Bacon brothers were united by mutual affection and by similar interests and endeavors. Francis Bacon was also involved in the plays. Without his help many of them would have been lost to posterity. I believe this "incomparable pair of brethren" to have been the two greatest intellectual geniuses of the Elizabethan era.

## Illustrations

1. The **ANTHONY** in the corner of the Droeshout engraving.
2. The Droeshout engraving (after Kökeritz).
3. The Bacon family portrait. Courtesy: Private collection.

## THEN AND NOW: FRANCIS BACON AND LAW REFORM

C.G. Hall, Senior Lecturer in Law,  
School of Law, University of Buckingham.

We might choose to dismiss Francis Bacon's contribution to philosophy as amateurish or say that in science he was no Galileo. We might discount the assertion of authorship of Shakespeare's plays as eccentric or snipe at those who see him as an Elizabethan Merlin, who conjured the spirit of Rosicrucianism and created the Masonic Lodge, as purveyors of mumbo-jumbo. We might, without perversion, reject the possibility as too cranky for words that Bacon really was the scion of the House of Tudor through a back-stair romance between a Virgin Queen and Robert Dudley. We might even subscribe to the view that Bacon was just another corrupt courtier and cheap hypocrite whose Conscience sold Justice as Judas sold Jesus.<sup>1</sup> And what of Macauley's suggestion that Bacon's brain was "the most exquisitely constructed...ever created"? But surely none, not even the biting cynic nor the flabby agnostic clinging fearfully to his cocoon of facts, would deny Bacon's role in the renaissance of learning and that in his use of the weapons of Pallas Athene, knowledge, wisdom, education and ethics, he both reflected and refined the *Saturnia Regna* which was the Elizabethan age. As Holdsworth reminds us, he proclaimed "to the world the infinite possibilities which it contained of future extensions of human knowledge"<sup>2</sup> and, of course, as Lord Chancellor and the first English jurist of consequence he proclaimed it also for the law.

Bacon knew well that "there is no worse torture than the torture of laws."<sup>3</sup> And in his time there were many instruments of torture. The law was archaic in substance and cumbersome in procedure. The common law was chaotic and arcane. Until Coke's *Reports* enriched the practitioner's library (from 1600) there was not much besides the *Year Books*, *Dyer* and *Plowden*. *Fitzherbert's* abridgments, though thorough, were dated. *Brooke's* were largely summaries which, though good for reference, were too slight for serious use.<sup>4</sup> Statute law was a jumble. The statutes were too many, too prolix, too obscure. Generally, the laws were "so many in number that neither common people can half practise them, nor the lawyer sufficiently understand them."<sup>5</sup> Bacon drew attention to the uncertainty of the law, its multiplicity of opinions, its delays and eva-

sions, its recondite remedies. The legal world had barely moved on since the Middle Ages. And thus it was that the future Lord Chancellor, at an early stage in his career, determined:

to enter into a generally amendment of the...laws, and to reduce them to more brevity and certainty, that the great hollowness and unsafety in assurances of lands and goods may be strengthened, the swarving of penalties, that lie upon many subjects, removed, the execution of, many profitable laws revived, the judge better directed in his sentence, the counselor better warranted in his counsel, the student eased in his reading, the contentious suitor, that seeketh but vexation, disarmed, and the honest suitor, that seeketh but his right, relieved....<sup>6</sup>

For this "heroic" programme, one which "the most excellent princes that have ever reigned" saw fit "to adorn and honour times of peace",<sup>7</sup> the cultured structures of the Roman Civil Law provided a model though not an exact correspondence. Yet though Bacon saw himself as a Tribonian,\* there never was a Justinian to give a formal expression to his schemes. We are left with the *Maxims of the Law*, the *Aphorisms* in Book 8 of *De Augmentis* as a paradigm of a legal order, the *Arguments in Law* and the reforms of Chancery as realised achievements. For the rest, they were but examples sown for future generations to reap and Bacon himself was not blind to the problems for fruition of his labours.<sup>8</sup>

The difficulties which he perceived for his programme were mirrored by succeeding ages dedicated to reform; whether to codify or merely re-state, the problem of certainty and its adjuncts - omitted cases, obscurity, excessive accumulation, obsolescence, inherent contradiction, ambiguity, retrospective laws. There is a remarkable similarity in the arguments for and against codification, for the amendment and repeal of harsh and obsolete statutes, against tampering with the common law, for the production of digests and upon the nature and role of legal rules and principles, no matter the period in which the debate has simmered. Current dialogues relating to the work of the Law Commission confronted with the inexor-

\*A Byzantine jurist and official (*Obit* AD 545) who supervised the compilation of the *Pandects*, *Institutes* and the Justinian New Code - Ed.

ably novel complexities of life, in particular whether it should codify the criminal law or re-state it or leave it well alone, as it determined to do with contract, are little different in substance from those which Bacon and Coke entertained - and the goals remain constant.<sup>9</sup> Ten years ago, Lord Edmund-Davies, certainly no opponent of systematic law reform, eloquently argued that we have too much law and expressed doubts about the need and desirability of a Code on the Continental pattern.<sup>10</sup> More recently, Lord Goff, in referring to the "gradualist" approach to the solution of legal problems, remarked that after only a century the various Indian Codes have become a "dead hand". To him, "A statement of principle, capable of qualification to meet unforeseen circumstances and capable of adaptation to absorb developments in other inter-related parts of the law, is generally all that is needed to provide the temporary certainty required to guide citizens in their practical affairs."<sup>11</sup> Both he and Lord Edmund-Davies have acknowledged the role of selective codification but have rehearsed traditional caveats about codification in general; that it may stultify the development of the law, that it is unnecessary and impractical to express in concise form the striking conceits of the common law, that it will not eradicate problems of interpretation which in turn may lead to greater inconsistencies and so on. Much the same sentiments were expressed a century ago and more by judges such as Baron Parke when, again, codification of the criminal law was in the air redolent with post-Benthamite zeal.<sup>12</sup>

But both Bacon and Coke had blazed the same trail. The latter lacked Bacon's vision. For Coke the common law was the bedrock of liberty and the perfection of reason. To change it would be "most dangerous".<sup>13</sup> And even Bacon, a dedicated exponent of radical reform, recognised that codes, though an appealing system for reference, raised the same problems as the common law in relation to equity, certainty and omitted cases. To him, the debate *lex scripta aut non scripta* was otiose since "sure I am, there are more doubts that ride upon our statutes, which are a text law, than upon the common law, which are no text law....I dare not advise to cast the law into a new model."<sup>14</sup>

And yet the goals of our law reformers, from Bacon to Scarman, have remained constant: to ensure that the law is consistent, coherent, logical, simple, reasonable, lucid, authoritative, accessible and free from historical accidents, perplexing obscurities and irrational absurdities.

Bacon's personal contribution to jurisprudence and law reform

consists both of an analysis of the nature of existing law and an exploration of legal systems with a view to their improvement. By reason of a successful combination of the empirical and rational faculties and in his emphasis upon particulars in his legal writings, it may be confidently asserted that Bacon's professional training profoundly influenced his treatment of other branches of knowledge, natural philosophy, logic, ethics and politics.<sup>15</sup> His method was, by the standard of the time, unique and provides the clue to a proper understanding of the fertility of his schemes. His remit was "to visit and strengthen the roots and foundation" of the law,<sup>16</sup> primarily to promote its certainty. This required a cerebrative, reflective process involving the exercise of the intellect upon the senses.<sup>17</sup> In both cases, the surest way was to "keep close to particulars."<sup>18</sup> Structurally, Bacon's method was cellular, atomic, case - by - case, the better to determine "the rules and grounds dispersed throughout the body of the same laws...to confirm the law."<sup>19</sup> Induction by simple enumeration, the mere cataloguing of facts, "blind experiments",<sup>20</sup> the loosely putting of cases in a scattered way, was unsatisfactory. It could prove nothing "but rather serve to make the law appear more doubtful than to make it more plain." But neither was deduction from the "commonplace", nor arguments "upon general grounds [which] come not near the point in question", which "like short, dark oracles....give little light or direction",<sup>21</sup> satisfactory either. Rather he preferred a middle way,\* in which rules of a certain level of generality could be made precise in the service of particular instances by "a clear and perspicuous exposition, breaking them into cases, and opening them with distinctions, and sometimes showing the reasons above, whereupon they depend, and the affinity they have with other rules."<sup>22</sup> This complex synthesis of method Bacon applied throughout his legal work in the search for similarity, harmony and congruity and it gives his writing a persuasive quality of the first order.

To move now from method to matter. Bacon's primary ambition was to purge "the uncertainty of law, which is the principal and most just challenge that is made to the laws of our nation at this time."<sup>24</sup> To him certainty was "so essential to law, that law cannot

\*Not surprising in view of the Bacon family motto *Mediocia Firma* - the mid-ground (is) strength - Ed.

even be just without it.”<sup>25</sup> Though the contrary has been asserted,<sup>26</sup> it is doubtful whether Bacon sought purposefully to bring law closer to a science of prediction. He was no ‘realist’ in the modern sense. This much is clear from the Preface to the *Maxims of the Law* and his recognition of the role of praetorian courts (*Aphs.* 32-46). True calculation or foreseeability might prove a by-product of his schemes but such ideas were not developed. And though he might assert, with Aristotle, that “that is the best law which leaves least to the discretion of the judge” (*Aph.* 8), ‘certainty’ still had a directive force of a different order and was an end in itself. It was a sophisticated concept synonymous with authority, validity, consistency, clarity and reason.<sup>27</sup> In general, uncertainty arose from omitted cases or where the law was ambiguous or otherwise obscure. The *Aphorisms*<sup>28</sup> were explicitly structured to deal with these deficiencies and there, in a roundabout way, Bacon attempted to resolve the central problem of whether laws should be penned precisely such that all omitted cases are inevitably excluded or whether they should consist of general axioms and so remain manifestly open-ended. Typically, for him, this dilemma was resolved by taking a middle course; to expound the law with a well defined generality of words which, while not attempting to express all conceivable cases within it, would still exclude with sufficient clarity those not comprehended.<sup>29</sup> He explored, more particularly, the technical problems raised by the dilemma. For example, a particularised law should be extended cautiously: “For as exception corroborates the application of law in laws not excepted, so enumeration invalidates it in cases not enumerated.” But where statutes and other laws “are concise in style, extend freely” (*Aph.* 17), though not such that the case-by-case procedure lapses into dissimilar cases, else “sharpness of wit will have greater power than authority of law” (*Aph.* 13).

As has been seen, for Bacon codification was not the condition precedent of certainty. In the *Aphorisms* he stops short of recommending it. In *A Proposition Touching the Compiling and Amendment of the Laws of England* he rejected it as a perilous innovation.<sup>30</sup> Nevertheless, his particular schemes would prepare the way for it should it be thought necessary. Meanwhile, he was content to see a restatement of existing law which, though unlike a code might not modify its substance, would still possess a code’s virtues of consistency and coherence. Bacon realised that two major programmes were required to achieve this end; an independent review of statute law and the production of a Digest of both the common law and legislation. Others - Hobart, Finch, Noye and Hackwill - had

made similar proposals but in a less developed way. With the accession of a Scottish King, the desirability of a unification of the laws of the two kingdoms was obviously a prime influence on them all and, for Bacon, a convenient catalyst for law reform in England.<sup>31</sup>

Significantly, he proposed the appointment of commissioners to oversee the re-statement and keep the law, particularly the criminal law, under review.<sup>32</sup> The commissioners would advise upon the repeal of obsolete statutes and periodically review the antinomies (inconsistencies) in the law. The penal statutes would be carefully scrutinised. There were too many "ensnaring" laws which "grind [the subject] to powder".<sup>33</sup> The severity of their penalties should be mitigated. Concurrent statutes (homonymies) would be reduced to an intelligible unity and bad law, of which there was too much, would be excised. Without the former, certainty would be lost and a failure to purge the latter would cause citizens to question even those which were good. There was too much law. "This continual heaping up of laws", he urged, "maketh but a chaos and confusion, and turneth the laws many times to become but snares of the people."<sup>34</sup> It followed that merely to tinker with existing statutes was unsatisfactory. The result would be confusion and complication. An entirely new and uniform law was the better way, though considerable deliberation was required, for that would be more likely to ensure harmony in future times (*Aph.* 54). All this has a very modern ring and it is startling to find in Bacon's works so many precepts which, to our contemporary law reform bodies, are but platitudes of progressive zeal.

Though Bacon eventually found that the unification of English and Scottish law posed too many difficulties in the political climate of that time and without first re-laying the foundations of English law, his work for unification was not wasted. It made him the more determined to reduce English law to a "sound and manageable body" (*Aph.* 59) by a method akin to that conceived for the unification programme. Thus in both the *Aphorisms* and, especially, *A Proposition*, the latter written as Attorney-General in 1616 and proving crucial in consolidating his claims as a reforming lawyer who by strength of intellect and position could quite properly succeed Ellesmere, he advocated the compilation of a Digest or Summary of the whole law in the manner of Tribonian. Here the common law and statutes would be juxtaposed in a systematic order with titles and sub-divisions in distinct articles or propositions (*Aph.* 61). Such a scheme would be of inestimable value in the making, administration and study of law, since it would illumine

analogies and induce a more constant reference to general principles productive of simplicity and certainty. Two hundred and fifty years later a Royal Commission made a similar proposal.<sup>35</sup> Repetitious and obsolete laws, those which determined nothing but only posed questions, those productive of inconsistency and those unduly prolix would be ruthlessly pruned or compressed (*Aph.* 60). The old words and texts might be retained to preserve authority of law (*Aph.* 62). The resulting restatement would be complemented by contemporaneously gathered reports of cases and a compendium of other works, some seminal, others auxiliary or introductory.

In the *Aphorisms* Bacon built on the "ballast" of Coke's *Reports*. Poor reporting too easily results in inconsistency of judgments and hence uncertainty and so, in *Aphorisms* 73-76, we find the model of an ideal report. Judgments, the "anchors of laws", should be recorded precisely, word for word, and a clear exposition of the reasons for determination should be given, though not the arguments of counsel. The more learned barristers should be employed, and paid, as reporters.<sup>36</sup> Cases should be presented chronologically rather than by titles, for this was the way to "give light to a wise judge". The model is too familiar now for further comment.

Of the auxiliary books, there would first be a Digest of Cases determined subsequent to Edward I's time, compiled by "grave and sound lawyers", and subject to the same careful scrutiny as the principle work in respect of obsolescence, repetition and abbreviation and cleared also of judgments without reasons and all idle queries, "which are but seminaries of doubts", tautologies and impertinences. But the cases would be presented chronologically like the *Year Books*. Secondly, there would be a book *De Antiquitatibus Juris*, a collection of cases, articles, letters patent and commissions determined, given or ordered prior to Edward I, which would serve as "reverend precedents" but not authorities. Then a Dictionary or Commentary of legal terms should be compiled; not a *Jowitt*, with exact definitions of words presented alphabetically, though such might be indexed, but rather assembled in collections of family resemblance words relating "to the same thing" and with suitable explanations "to make the way easier in reading law books" (*Aph.* 81). It is a fascinating idea and as yet untried in the law. But is there not here an early pointer to the idea, developed by twentieth century philosophers, that words can be arranged in identifiable strata and that between instances of a kind

there are not inevitably common features but, rather, “similarities, relationships and a whole series of them at that”?<sup>37</sup> Fourthly, a new Abridgment should be constructed to replace those then extant in which the whole law would be arranged under titles but as a reminder, a ready-reference, rather than a tome to “make a lawyer in haste” (*Aph.* 87). There were other proposals still,<sup>38</sup> especially the *Maxims* which are considered below.

One last auxiliary book deserves special mention because it highlights an aspect of Bacon’s legal work which is often ignored – his contribution to education. He proposed a book of Institutes arranged in a clear order and method which would be readily explicable for students who would thus acquire a basic understanding of the whole law. Effectively the book would serve as a series of lecture courses from which the novice would acquire a “slight sketch of all” (*Aph.* 80) so that when he came to study law in depth there would be nothing entirely new to him. The modern, all too familiar, student concise-text was centuries away but this was clearly what Bacon had in mind. Education had long been in his contemplation. In 1605, he had written to Sir Henry Saville, Provost of Eton:

Coming back from your invitation at Eton....I fell into consideration of that part of Policy whereof Philosophy speaketh too much and Laws too little; and that is, of the education of youth....in the discourse of the philosophers there is a strange silence concerning the principle part of the Subject.....touching the Improving and Helping of the Intellectual Powers, as of conceit, memory, and judgment, they say nothing.<sup>39</sup>

It was natural for him to turn his mind to legal education, particularly since the Inns of Court had extended their horizons to function as teaching institutions as well as gentlemen’s clubs.<sup>40</sup> Bacon’s *Reading Upon the Statute of Uses*, delivered at Gray’s Inn, is well known.<sup>41</sup> But his book *Arguments in Law*, his “pleadings” as counsel in some of the celebrated causes of the day, compiled when he was Solicitor-General and addressed, *inter alios*, to the students of Gray’s Inn, has been overlooked as an educational tool.<sup>42</sup> Bacon’s purpose here was to instruct students, by example, on how best to argue complex legal issues, and the cases themselves represented models of legal argument for them to imitate. Just as in the *Post-Nati of Scotland*,<sup>43</sup> where he explicitly observed “the ancient and exact form of pleadings” – to explain or induce, to confute or answer objections, and then prove or confirm – so in the

*Arguments* he presented a structured pattern for analysis which law teachers today will readily recognise as being typical of the approach we instruct our own pupils to follow in sifting problem questions; begin with the significance of the case for the law and the issues to be resolved; state the law on each issue with the cases for and against; relate the law to the facts; summarise the arguments and conclude. Again, therefore, we find evidence of Bacon's unique prescience of method and substance as relevant now as centuries ago. And, finally, it is worth recording his warning to lecturers to refrain from self-indulgence by multiplying controversies in their lectures - merely "for the display of wit" (*Aph.* 93). Rather they should strive to set them at rest. Further comment would be superfluous or worse!

The *Maxims* and *Aphorisms* deserve close analysis but space forbids it. Of the latter, Holdsworth is surely right to say they represent "the first critical and jurisprudential estimate of the English law ever made"<sup>44</sup> and the former, particularly in the Preface, is a text worthy of serious study in Schools even today. There have been many references to the thrust and substance of the *Aphorisms* in this paper. They provide the most succinct and systematic exposition of Bacon's ideas and are a central pivot for his academic thoughts. They are signified as *legum leges*, laws of laws to test the "good or ill set down and determined in every law" (*Aph.* 6); a matter for statesmen, rather than philosophers or black-letter lawyers, "who best understand the condition of civil society....and who may therefore determine laws by the rules and principles both of natural equity and policy." By reference "to the several provinces of law", Bacon exhibits "a character and idea of justice, in general comparison with which the laws of particular states...may be tested and amended" (Prologue). In form, they are schematised, unlike the *Maxims*, but both are linked to a strong historical tradition - older than Justinian and of which Wittgenstein's *Philosophical Investigations* is a modern example - which, in their self-contained, concise and pithy style, ensure an incontrovertible guarantee of profundity in learning.<sup>45</sup> Only 25 maxims survive.<sup>46</sup> They were dedicated to Elizabeth in 1597. They thus pre-date the first edition of *Broom* by 250 years. They are modelled on the civil law notion of *regulae* as generalisations of existing law, but are unique to Bacon in their completeness, flexibility and want of method in exposition. Bacon acknowledged that he could have digested these middle-order rules into a system but preferred a "distinct and disjointed" presentation which "doth leave the wit of man more free to turn and toss, and to

make use of that which is delivered to more several purposes and applications.”<sup>47</sup> The maxim, despite its abstract, epigrammatic form, enshrined **authority**. It required no further justification.<sup>48</sup> It was “the full and perfect conclusion of reason”,<sup>49</sup> a general dictate of reason which “runs through the different matters of law...as its ballast” (*Aph.* 83). It was derived by reflection, stated “in a concise and solid form of words” (*Aph.* 84), augmented by examples, distinctions and kindred cases and could be re-applied to new factual situations and the perception of analogies. It served to reconcile doubts, correct “unprofitable subtlety”, reclaim “vulgar errors”, “grace argument” and strengthen judgment. But above all, it enabled both the student and the professor of law “to see more profoundly into the reason of such judgments and ruled cases...so that the uncertainty of the law...will, by this new strength laid to the foundation, be somewhat the more settled and corrected.” And, finally, like the magnetic needle, the maxim “points at the law but does not settle it” (*Preface to the Maxims* and *Aph.* 85). How modern is this conception of a rule? Was it not Wittgenstein who remarked that rules are like sign-posts which leave only doubts as to the path to follow.<sup>50</sup> That was in 1945.

Much could be written of Bacon’s reforms of Chancery, of his *Ordinances in Chancery* - “for the better and more regular adminstration of justice” - in particular<sup>51</sup> and of his conception of the role of praetorian courts in general (*Aphs.* 32-46). But this paper has been but a “short journey by examples”,<sup>52</sup> though they could be multiplied. Bacon knew well the appropriate methods for exposition and discovery or revelation; and how best the rational and intuitive qualities could be combined to unlock the mysteries of knowledge, just as Einstein conceived of relativity in “sorts of clouds”. For Bacon, the mystery in law was Justice, that “sacred thing” for which he was called and by which lay the path to Heaven.<sup>53</sup> However well rooted in his time, law represented the means only of Themis’ faithful illumination and, unquestionably, he would have agreed with Lord Scarman that laws are good or bad according to whether they are just or unjust.<sup>54</sup> By that yardstick, it was inevitable that Bacon too should have conceived that “law reform is a necessary part of any legal system”.<sup>55</sup> Whether this makes Bacon a “liberal” is uncertain and it is doubtful that he would have agreed with Lord Scarman that law reform was **rightly** “fashionable”; for fashions, a mere idol of the tribe, change and are too often the offspring of caprice withering also with the vagaries of a moment. For Bacon, the “debt to his profession” was redeemed,

as has been seen, by ornamenting and strengthening “the roots and foundation” of the science of law, “thereby not only gracing it in reputation and dignity, but also amplifying it in perfection and substance” (*Preface to the Maxims*). So to describe him as a “liberal” is too tepid and his lessons and accomplishments are not the transient speculations of a passing day. But with the “liberal”, and others, he **does** share the abiding virtue of compassion, the mainspring of his life and work not least in the law. To Bacon, as with St. John, “A man doth vainly boast of loving God whom he never saw if he love not his Brother whom he hath seen” <sup>56</sup> - and that precept is timeless also.

## NOTES

1. See on these matters, e.g., Alfred Dodd, *Francis Bacon's Personal Life Story* (1986); Lord Denning, *Landmarks in the Law* (1984), pp. 32-34 and the reply to Lord Denning in vol. lxxix *Baconiana* (1986), pp. 34-51.
2. *History of English Law* Vol. iv, p. 51.
3. Essay *O Judicature*, Montagu, *Works* (1844) Vol. 1, p. 58 (hereinafter *Montagu*).
4. See T. F. Plucknett, *Studies in English Legal History* Chap. xv, “The Genesis of Coke's Reports.”
5. This in 1593 on the occasion of Lord Keeper Puckering's speech to Parliament on reform by abridgment: Spedding, *Works* Vol. viii, p. 214 (hereinafter *Spedding*); and see also Bacon's masque *Gesta Grayorum* (1594), *Spedding, loc. cit.*, p. 339.
6. From the Epistle Dedicatory to *The Elements of the Common Laws of England* (1597), which includes the *Maxims of the Law*, Montagu Vol. 3, p. 219.
7. *Ibid.*
8. See, e.g., Bacon's speech in the Commons *By Occasion of a Motion Concerning the Union of Laws* (1607), Montagu Vol. 2, p. 158.
9. See the illuminating paper by J. C. Smith, “Codification of the Criminal Law”, Child & Co. Lecture 1986 (London) to be reprinted in *1987 Denning Law Journal*.
10. See “Ferment in the Law”, Presidential Address to the Holdsworth Club (1977) and, generally, the “Appreciation” in *1985 Cambrian Law Review*, pp. 28.28-30.
11. See “Judge, Jurist and Legislature”, Child & Co. Lecture 1986 (Oxford), p. 4, to be reprinted in *1987 Denning Law Journal*. Much the same, in the writer's view, could be said of the Nigerian Criminal Code.
12. See Parke B. in 1854 arguing against codification of the criminal law in A. H. Manchester, *Sources of English Legal History 1750-1950* (1984), p. 36 and, for an opposing view, the Criminal Code Bill Commissioners (1879), *loc. cit.*, p. 42.
13. Preface to Reports Pt. 4, p. v. (Vol. 2, 1826 ed.).
14. *A Proposition Touching the Compiling and Amendment of the Laws of England* (1616), Montagu Vol. 2, p. 229 (hereinafter *A Proposition*).
15. Cf. Holdsworth, *History of English Law* Vol. v, p. 239 and the *Novum Organum* (1620), *Spedding* Vol. iv, p. 112, where Bacon asserts that his method is intended to apply to all fields of knowledge.
16. Preface to the *Maxims of the Law*, Montagu Vol. 3, p. 221 (hereinafter *Preface to the Maxims*).
17. See Fortescue's treatment of maxims in *A Learned Commendation of the Politique Laws of England*, Fol. 21<sup>v</sup>, and Bacon's scientific method in the *Novum Organum*, *Spedding* Vol. iv, e.g. at p. 50.

18. *A Proposition*, *supra* n. 14.
19. *Preface to the Maxims*, *supra* n. 16
20. Letter to Burghley (1592), *Montagu* Vol.3, p.1.
21. *Preface to the Maxims*, *supra* n. 16
22. *Ibid.*.
23. *Ibid.*.
24. *Ibid.*.
25. *De Augmentis*, *Preface* Book 8, *Example of a Treatise on Universal Justice or the Fountains of Equity*, by *Aphorisms*, *Aphorism* 8, *Spedding* Vol. v, p.90 (hereinafter in the text *Aph.*).
26. See the excellent article by P. H. Kocher, "Francis Bacon on the Science of Jurisprudence", 18 *Jo. of the History of Ideas* (1957), pp.3-26, reprinted in Brian Vickers (ed.), *Essential Articles for the Study of Francis Bacon* (1968), 167 at pp.169-170.
27. See, e.g., *Aph.* 7 (clarity), *Aph.* 11 (reason), *Aphs.* 16, 62, 77, and 78 (authority), *Aphs.* 94-97 (consistency).
28. *Supra* n. 25.
29. See *Aph.* 67.
30. *Supra* n. 14.
31. See Bacon's speech to the Commons *By Occasion of a Motion Concerning the Union of Laws*, *Montagu* Vol.2, p. 158; *A Preparation Toward the Union of the Laws of England and Scotland* (1604), *Montagu* Vol. 2, p. 160 (where Bacon proposes that the right way to proceed was for the lawyers of each nation to set down their respective laws in brief articles in two columns so that the similarities and differences could be seen at a glance).
32. See *A Proposition*, *supra* n. 14; *Aphs.* 55 and 57, *supra* n. 25.
33. *Ibid.*; and see *A Certificate to His Majesty Touching the Projects of Sir Stephen Proctor Relating to the Penal Laws* (1608), *Montagu* Vol.2, p.236.
34. *Motion Concerning the Union of Laws*, *supra* n.31.
35. See Manchester, *supra* n.12 Bacon consistently acknowledged the urgency of a Digest and still 'pushed' the idea to James even after his 'fall': see *An Offer of a Digest*, *Montagu* Vol.2, p.233.
36. See also, *A Memorial Touching the Review of Penal Laws and the Amendment of the Common Law* (1614), *Spedding* Vol.xii, p.86.
37. See, e.g., Waismann, "Language Strata", *Logic and Language* (2nd Series), ed. Flew; Wittgenstein, *Philosophical Investigations*, para.66.
38. See, e.g., *Aph.* 88 on forms of pleading, which disclose the "oracles and mysteries" of law.
39. *Montagu* Vol.3, p.71.
40. See W. R. Prest, *The Inns of Court 1590-1640* (1972), Chaps.6 & 7; S.E. Thorne, "The Early History of the Inns of Court with Special Reference to Gray's Inn", 50 *Graya* (1959).
41. (1600) *Montagu* Vol.3, p.295.
42. *Loc. cit.*, p.267. The collection consists of *The Case of Impeachment of Waste*, *Low's Case of Tenures*, *The Case of Revocation of Uses* and *The Jurisdiction of the Marches*.
43. *Montagu* Vol.2, p.116.
44. "The Elizabethan Age in English Legal History", 1927 *Iowa L.R.* 329.
45. See P. Stein, *Regulae Iuris* (1966); Brian Vickers, *Francis Bacon and Renaissance Prose* (1968), Chap. 3; Kocher, *supra* n.26.
46. Published in 1630 but thought to be originally 300 in number. they are formulated in Latin as *regulae* but explained in English. They are still employed in argument; see, e.g., *Regula* 5, *Necessitas inducit privilegium quoad jura privata* in Dudley & Stephens (1884) 14 O.B.D. 273; *Regula* 15, *In criminalibus sufficit generalis malitia intentionis cum facto paris gradus* in Glanville Williams, *Criminal Law - The General Part* (1961), p.126.

- 47. *Supra* n. 16 and succeeding quotations unless otherwise stated.
  - 48. See Stein, *supra* n. 45, pp. 160-161.
  - 49. *Discourse on the Commission of Bridewell* (1587), *Spedding* Vol.vii, p.509.
  - 50. *Philosophical Investigations*, para. 85.
  - 51. *Montagu* Vol. 2, p.479.
  - 52. *Speech to Sir William Jones upon being Called Lord Chief Justice of Ireland* (1617), *Montagu* Vol. 2, p.479.
  - 53. *Speech on Taking His Place in Chancery* (1617), *Montagu* Vol. 2, p. 471.
  - 54. Jane Ellison interview with Lord Scarman, *Sunday Telegraph Magazine*, January 4th 1987: "Judge Not".
  - 55. *Ibid.*
  - 56. *An Advertisement Touching the Controversies of the Church of England*, *Montagu* Vol.2, 411,419.
-

## CORRESPONDENCE

Mr J Kinney  
The Editor  
Gnosis Magazine  
San Francisco, USA.

Dear Sir,

With reference to your issue on Secret Societies, there is definite evidence of underground Rosicrucian activity long after that brotherhood was supposed to have disappeared in the 1620's.

In 1741 the famous statue to William Shakespeare was erected in Westminster Abbey, London. It has him pointing to a garbled version of Prospero's speech about dreams from Act IV of *The Tempest*. Some believed the statue to have Rosicrucian significance. But their opinions were unsubstantiated. Nevertheless, recently found references in contemporary editions of *The Gentleman's Magazine* and in *The Dunciad* support the following observations:

1. The memorial's background doorway, epitaph and wrong Latin thereon allude to the discovery of the legendary tomb of the founder of the Rosicrucians.

2. Deliberate mistakes in the play's quotation refer to a special feature of the temple built by that person.

3. Hidden in the exact centre of that text and in the shape of a doorway is the name of a famous philosopher - Francis Bacon.

(It is found *and* verified by a method similar to our popular 'Wordsearch' puzzles and first used in the time of Charlemagne. Hence, the rationale behind the spelling mistakes.)

4. The memorial's central feature is identical to an earlier rare picture that bears the Rosicrucian double-A insignia.

Who was responsible for the incorrect wording on the monument? None other than the literary giant of the period - Alexander Pope. Not only had Pope edited the Shakespeare plays but also he regarded Lord Bacon as the greatest genius. And in his *Rape of the Lock* he had recommended the Rosicrucian story *Comte de Gabalis*. The modern edition of the latter also bears the AA insignia.

The above facts justify the conclusion that either the Rosicrucian Order still existed in the mid-18th Century, or that knowledge of Bacon's involvement in it had been privately transmitted. Unbiased in-depth research should yield greater insights

into the original Rosicrucians. And indications in our early 17th Century literature suggest a strong Knights Templar influence upon Rosicrucian activity in England at that time.

Yours faithfully,

Richard Barker  
Editor, *Baconiana*  
The Francis Bacon Society.

(Published)

---

The Editor,  
The Daily Telegraph,  
135 Fleet Street,  
London EC4P 4BL.

3rd March 1987

Dear Sir,

Patrick Cosgrave would not have found a supporter in Shakespeare for his claim that copyright should remain the indefinite property of the heirs and executors of an author. He says that Shakespeare left a Will. True. But he made no claim to *any* literary property, to *any* authorship, or to *any* manuscripts, and there are not even references to *books* in his Will.

As he points out: "Publishers under his new scheme would have to pay royalties on Shakespeare's work." The question is: to whom?

Yours faithfully,

John Spiers  
Chairman  
The Harvester Press

---

As mentioned in the **Chairman's Announcement**, the following should be read in conjunction with Mr Gwynne's letter published in *Baconiana* No. 176:

*At the end of para 3) p74:*

"Is there any reason why his admission would not have given grounds for suspicion in their minds that his verdicts against those who had lost had resulted from bribes by the winners, something, of course, which the losers would be unable to prove (for they would hardly expect winners, if guilty, to testify on their behalf)? At least one expected result of his admission must surely be that many of those people would acquire contempt of the legal process, feelings of injustice, an inclination to take the law into their own hands next time, incitement to lawlessness etc."

*At the end of the letter:*

"It is perhaps worth observing, however, that, having shown himself to be capable, when it suited him, of lying, of doing deals to pervert the course of justice, of giving public and scandalous example of contempt for the legal processes, etc., it could scarcely be argued that other forms of corruption would have been out of character. Once a person has shown himself to be prepared *in principle* to "deal" and to lie, when and in what circumstances he is prepared to behave like that is only a matter of how much is at stake. Moreover, anyone who thinks that the people who gave gifts to him did not both believe and hope that they would influence his decisions in doing so is naive indeed. And finally, as Lord Denning justly points out in his treatment of this subject in his book *Landmarks in the Law* (p.46), if, as is the case, the examples he (Denning) quoted of accusations or complaints against Bacon were made by people whose cases went *against* them, we do not of course know whether the *successful* parties *also* bribed him. As Lord Denning validly says: "They may have done. They would not complain."

Once again, I do hope you will not find my occasional bluntness in this letter objectional. It seemed to me that in the interests of the truth on this subject, the whole matter at issue should be spelt out as plainly and openly as possible. I look forward to your reactions."

## PUBLICATIONS

(for sale)

**All the following publications are available from the Francis Bacon Society except those so marked. Enquiries should be made to the Hon. Treasurer, T.D. Bokenham at 56 Westbury Road, New Malden, Surrey KT3. 5AX, from whom an up-to-date price list may be obtained.**

Baker, H. Kendra

*The Persecution of Francis Bacon*

A story of great wrong. This important book presents lucidly the events and intrigue leading up to the impeachment of Francis Bacon, Lord Chancellor. (Paperback - 1978).

Bokenham, T.D.

*A Brief History of the Bacon-Shakespeare Controversy*

A concise and clear summary, concluding with some new cipher evidence. Illustrated. (Paperback - 1982).

*The "Original" Shakespeare Monument at Stratford-on-Avon*

A history of the repairs and alterations made to the monument in 1749. Illustrated. (Booklet - 1968).

Dawkins, A.P.

*Faithful Sayings and Ancient Wisdom*

A personal selection of Francis Bacon's Essays and Fables from the Wisdom of the Ancients, chosen for the teachings that Bacon gives in these concerning the fundamental laws of Creation and Redemption. Illustrated. (Paperback - 1982).

Eagle, R.L.

*The Secrets of Shakespeare Sonnets*

A scholarly and spiritual interpretation of these most beautiful poems, with a facsimile reproduction of the 1609 edition of the Sonnets and "A Lover's Complaint". (Hardback - 1965). Available from The Mitre Press, 52 Lincoln's Inn Fields, London WC2.

Gundry, W.G.C.

*Francis Bacon - a Guide to his Homes and Haunts*

Although inaccurate in parts this little book includes some interesting information and many illustrations. (Hardback - 1946).

*Manes Verulamiani*

A facsimile of the 1626 edition of the elegiac tributes to Francis Bacon by the scholars and poets of his day, showing Francis Bacon to have been considered a scholar and a poet of the very highest calibre, although "concealed". With translations and commentary, this is a most valuable book (Hardback - 1950).

Johnson, Edward D.

*Francis Bacon's Maze*  
*Francis Bacon's Cipher Signatures*  
*Shakespearean Acrostics*  
*The Biliteral Cipher of Francis Bacon*

Durning-Lawrence, Sir Edwin

*Bacon is Shakespeare*  
With Bacon's Promus.

Macduff, Ewen

*The Sixty-Seventh Inquisition*  
*The Dancing Horse Will Tell You*

These two books demonstrate by means of diagrams and photofacsimiles that a cipher, brilliantly conceived but simple in execution, exists in the 1623 Shakespeare Folio. The messages revealed, and the method of finding them, form a fascinating study and an unanswerable challenge to disbelievers. The books are the result of many years' careful research. Hardbacks - 1972 & 1973.

Melsome, W.S.

*Bacon-Shakespeare Anatomy*  
Dr. Melsome anatomises the "mind" of Shakespeare, showing its exact counterpart in the mind of Francis Bacon. (Hardback - 1945).

Pares, Martin

*Mortuary Marbles*  
A collection of six essays in which the author pays tribute to the greatness of Francis Bacon. (Paperback).  
*A Pioneer*  
A tribute to Delia Bacon. (Hardback - 1958).  
*Knights of the Helmet*  
Useful notes on the Baconian background. (Paperback - 1964).

Sennett, Mabel

*His Erring Pilgrimage*  
An interpretation of "As You Like It". (Paperback - 1949).

Theobald, B.G.

*Exit Shakespeare*  
A concise and carefully reasoned presentation of the case against the Stratford man, Shakespeare, as an author of the Shakespeare works. (Card cover - 1931).  
*Enter Francis Bacon*  
A sequel to "*Exit Shakespeare...*", condensing the main facts and arguments for Francis Bacon as a supreme poet and author of the Shakespeare Plays. (Hardback - 1932).

Woodward, Frank

*Francis Bacon's Cipher Signatures*

A well presented commentary on many of the "Baconian" cipher signatures in text and emblem, with a large number of photofacsimiles. (Hardback - 1923).

# **THE FRANCIS BACON SOCIETY**

## **(INCORPORATED)**

### **SUBSCRIPTIONS**

The subscription for membership is £7.50 payable on election and on the first day of each succeeding January. Those members who prefer to remit their subscriptions in American currency are requested to send \$18 if possible by international money order in sterling. Bankers Orders and forms for Deeds of Covenant can be provided on request. All subscriptions and enquiries about subscriptions should be sent to the Hon. Treasurer, T.D. Bokenham, Esq., at 56 Westbury Road, New Malden, Surrey KT3 5AX.

Members receive a copy of each issue of BACONIANA without further payment, and are entitled to vote at Annual General Meetings. They will also receive invitations whenever possible to lectures and discussions organised by or on behalf of the Society. In addition BACONIAN JOTTINGS is being issued free to all members, and at present this is published once a year.

Members would assist the Society greatly by forwarding additional donations whenever possible, and by recommending friends for election. Application forms for membership are obtainable from the Secretary, at Canonbury Tower, Islington, London N1 2NQ.

### **BACONIANA** **(Copyright reserved)**

The official Journal of the Francis Bacon Society (Inc.) is published periodically. Back numbers can be supplied. When enquiry is made for particular copies the date should be specified. Some are now scarce and, in the case of early issues, difficult to obtain unless from members of the Society who may have spare ones. Enquiries for back copies should be made to the Hon. Treasurer, T.D. Bokenham, at 56 Westbury Road, New Malden, Surrey KT3 5AX.

### **THE FRANCIS BACON LIBRARY**

Details about the books and where they may be studied are available from the Hon. Treasurer, T.D. Bokenham, at 56 Westbury Road, New Malden, Surrey KT3 5AX.